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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF

THE STATE OF INDIANA,

DURING THE

FIFTIETH SESSION

OF THE

GENERAL ASSEMBLY,

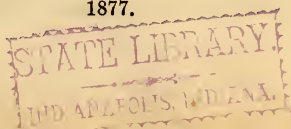
COMMENCING THURSDAY, JANUARY 4TH, 1877.

REGULAR SESSION.

INDIANAPOLIS:

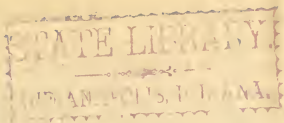
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

THURSDAY MORNING,

JANUARY 4, 1877.

The Fiftieth Regular Session of the General Assembly of the State of Indiana, begun and held at the Capitol, in the city of Indianapolis, on Thursday, the 4th day of January, A. D. 1877, at ten o'clock, A. M., being the day fixed for the meeting of the same.

The House of Representatives being called to order by Hon. John E. Neff, Secretary of State, by authority of an act of the General Assembly.

Prayer was then offered by the Rev. Mr. DeLaMatyr.

After which, by order of Mr. Neff, the roll was called and the following members answered so their names and were sworn into office, (except John Chawner of Boone county, Andrew Hall of Newton and Benton counties, and Charles S. Hubbard of Henry county, who affirmed,) by the Hon. William E. Niblack, one of the Judges of the Supreme Court of the State of Indiana, and took their seats, viz :

From the county of Allen—Thomas J. Foster and Charles B. Austin.

From the counties of Adams and Wells—David J. Spencer.

- From the counties of Brown and Bartholomew—Joseph H. Cook.
 From the county of Boone—John Chawner.
 From the county of Carroll—James L. Johnson.
 From the county of Cass—Isaac Bumgarner.
 From the county of Clark—James K. Marsh.
 From the county of Clay—Isaac M. Compton.
 From the counties of Crawford and Orange—John Benz.
 From the county of Clinton—Allen E. Paige.
 From the county of Daviess—Patrick H. McCarty.
 From the county of Decatur—Zachariah T. Riley.
 From the county of Dearborn—Columbus Johnson.
 From the county of Delaware—Horatio J. Lockhart.
 From the counties of Delaware and Jay—Jacob H. Koontz.
 From the counties of Dubois and Martin—Andrew J. Gossman.
 From the county of DeKalb—William H. Madden.
 From the county of Elkhart—John E. Thompson.
 From the county of Floyd—Stephen Albert.
 From the county of Fountain—James C. Claypool.
 From the county of Franklin—Ebenezer Cooley.
 From the counties of Fayette and Union—James P. Kennedy.
 From the county of Gibson—Francis W. Hauss.
 From the county of Grant—Oliver P. Carey.
 From the counties of Grant and Blackford—Aaron C. Swayzee.
 From the county of Greene—James R. Baxter.
 From the county of Hamilton—James R. Carson.
 From the county of Hancock—Noble Warrum.
 From the county of Harrison—Smith Askren.
 From the county of Hendricks—James W. Morgan.
 From the counties of Hendricks and Putnam—Edwin T. Lane.
 From the county of Henry—Charles S. Hubbard.
 From the counties of Henry and Madison—Joseph T. Smith.
 From the county of Howard—Michael Thompson.
 From the county of Huntington—James C. Branyan.
 From the counties of Huntington and Wabash—Ulysses D. Cole.
 From the county of Jefferson—James W. Lanham.
 From the county of Jackson—Samuel T. Wells.
 From the county of Jennings—John Overmyer.
 From the county of Johnson—Charles O. Lehman.
 From the counties of Jasper and White—John P. Carr.
 From the county of Knox—Frederick Viehe.
 From the county of Kosciusko—John D. Highway.

From the counties of Kosciusko and Fulton—Arthur C. Cope-
land.

From the county of Lagrange—Samuel Harper.

From the county of Lake—Samuel Ames.

From the county of Laporte—Jackson Hosmer.

From the county of Lawrence—Alfred Guthrie.

From the county of Madison—Edgar Henderson.

From the county of Marion—John E. McGaughey, William H.
Craft, Stanton J. Peelle and Justus C. Adams.

From the counties of Marion and Shelby—Henry M. Endsley.

From the county of Marshall—Joseph W. Davis.

From the county of Monroe—Robert C. Foster.

From the county of Morgan—George W. Grubbs.

From the county of Miami—William Zering.

From the counties of Montgomery and Parke—Alexander M.
Scott.

From the counties of Miami and Howard—William H. Thom-
son.

From the county of Montgomery—Henry C. Hulett.

From the counties of Noble and Elkhart—Jacob C. Zimmerman.

From the counties of Newton and Benton—Andrew Hall.

From the county of Noble—Orlando Kimmell.

From the county of Owen—Jesse H. Reno.

From the counties of Ohio and Switzerland—William Freeman.

From the county of Putnam—George W. Priest.

From the county of Parke—Daniel Thomas.

From the county of Porter—Theophilus Crumpacker.

From the county of Perry—Andrew J. Hatfield.

From the county of Pike—Lorenzo W. Stewart.

From the county of Posey—Joseph F. Welborn.

From the county of Ripley—Davidson Rea.

From the county of Randolph—John A. Moorman.

From the counties of Ripley, Rush and Decatur—Archibald M.
Kennedy.

From the county of Rush—Horace H. Elwell.

From the county of Spencer—F. W. Ashby.

From the county of Sullivan—Stewart F. Coffman.

From the county of Shelby—Christopher Girton.

From the county of St. Joseph—David R. Leeper.

From the counties of Scott, Jennings and Jefferson—Alonzo A.
Morrison.

From the counties of Stark, Fulton and Pulaski—John F. Fromm.

From the counties of St. Joseph and Marshall—John W. Houghton.

From the county of Steuben—H. P. Butler.

From the county of Tippecanoe—William R. Oglebay and Byron W. Langdon.

From the counties of Tipton and Hamilton—William Garver.

From the county of Vanderburgh—John Whitehead and John Dannettell.

From the county of Vermillion—Claude Mathews.

From the county of Vigo—William A. Conley and Ambrose B. Carlton.

From the county of Wabash—Jacob L. Sailors.

From the county of Wayne—Branson L. Harris and John Yaryan.

From the county of Warrick—Robert Perigo.

From the county of Washington—Alfred B. Collins.

From the county of Warren—Elisha Little.

From the county of Whitley—William E. Merriman.

On motion of Mr. Collins of Washington county, the House proceeded to the election of a Speaker by *viva voce* vote.

The following nominations were made:

Hon. John Overmyer, of Jennings county.

Hon. Ambrose B. Carleton, of Vigo county.

Those who voted for Mr. Overmyer were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lare, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Howard and Miami, Whitehead, Wells, Yaryan and Zimmerman—53.

Those who voted for Mr. Carlton were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Houghton, Hauss, Henderson, Hosmer, Hulett, Johnson of Carroll,

Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Reno, Spencer, Stewart, Viehe, Welborn, Warrum and Zering—42.

Mr. Overmyer having received a majority of all the votes cast, was declared the duly elected Speaker of the House of Representatives for and during the present session.

Hon. Ambrose B. Carleton of Vigo, and Hon. George W. Grubbs of Morgan, the committee appointed by the Hon. John E. Neff, Secretary of State, to escort Mr. Overmyer to the chair, attended him to the Speaker's stand where after having duly taken his oath of office, he took the chair as Speaker.

Mr. Overmyer then addressed the House as follows :

Gentlemen of the House of Representatives :

I thank you for the distinguished honor you have conferred upon me in my election to preside over the deliberations of this body. The duties devolving upon your presiding officer are delicate and difficult, but I cherish the hope that, with your forbearance and with your firm, continuous and united support, I shall be able to meet, in a reasonable degree, your approval, and that the best interests of the people of Indiana may not suffer.

We are here, the servants of the people, for a short term. The duration of our session is limited by the Constitution, but even in the brief time allotted to us much that will interest and benefit our constituents may be accomplished. It is an old maxim that "The world is governed too much." If that be true it is not by the number of bills introduced and passed, but by their character and intrinsic merits that we shall hereafter be judged. If we can add to the simplicity, directness and certainty of our statute law, instead of the confusion and uncertainty thereof, I know that our constituents will approve our conduct in that regard.

We are the agents of the people to manage for them a certain part of their public business. The management of the politics of the people, in a party sense, has not been deputed to us. We have no jurisdiction over the question of the disputed presidency. The proper tribunal will, in due time, settle that matter, let us hope, in accordance with law and justice, so that whoever may be declared President it may be said, as of old, and by a united people : "Unto him shall the people gather." By the debate of party politics here our brief time may be consumed, passions may be aroused, and

harmonious action in the business of the whole people may be interfered with, but no good end can be accomplished. It is to be hoped that the Fiftieth Regular Session of the General Assembly of the State of Indiana, will be so conducted that party politics will be banished, as far as possible, from these halls, and that economy, moderation and charity shall continually guide and temper our conduct. Again, gentlemen, allow me to thank you.

On motion of Mr. Collins, the House proceeded to the election of Principal Clerk.

Cyrus T. Nixon, of Marion, and O. O. Staley, of Clark, having been nominated.

Those who voted for Mr. Nixon were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Overmyer, Pelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Howard and Miami, Whitehead, Wells, Yaryan and Zimmerman—54.

Those who voted for Mr. Staley were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carleton, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Houghton, Hauss, Henderson, Hosmer, Hulett, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merryman, McCarty, Oglebay, Paige, Perigo, Reno, Priest, Spencer, Stewart, Viehe, Warrum, Welborn, and Zering—44.

Mr. Nixon having received a majority of all the votes cast was declared by the Speaker duly elected Clerk of the House of Representatives, and coming forward took the oath of office and entered upon the discharge of the duties thereof.

On motion of Mr. Foster of Allen, the House proceeded to elect an Assistant Clerk, and James W. Cole of Tippecanoe, and H. S. Snelker of Allen, having been placed in nomination,

Those who voted for Mr. Cole were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Claypool, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley,

Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Overmyer, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Howard and Miami, Whitehead, Wells, Yaryan and Zimmerman—54.

Those who voted for Mr. Snelker were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carleton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Houghton, Hauss, Henderson, Hosmer, Hulett, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merryman, McCarty, Oglebay, Paige, Perigo, Reno, Priest, Spencer, Stewart, Viehe, Welborn, Warrum and Zering—44.

Mr. Cole having received a majority of the votes cast was declared by the Speaker duly elected Assistant Clerk of the House, and having taken the oath of office, entered upon the discharge of his duties.

On motion of Mr. McCarty, the House proceeded to the election of a Doorkeeper, and L. D. Baldwin of Grant county, and John R. Derff of Floyd county, having been nominated,

Those who voted for Mr. Baldwin were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Claypool, Cole, Conley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Overmyer, Peelle, Riley, Sailors, Scott, Thomas, Thompson of Elkhart, Thomson of Howard and Miami, Whitehead, Wells, Yaryan and Zimmerman—55.

Those who voted for Mr. Derff were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carleton, Coffman, Collins, Compton, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Houghton, Hauss, Henderson, Hosmer, Hulett, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merryman, McCarty, Oglebay, Paige, Perigo, Reno, Priest, Spencer, Viehe, Welborn, Warrum and Zering—42.

Mr. Baldwin having received a majority of all the votes cast was

declared by the Speaker duly elected Doorkeeper of the House, and having taken the oath of office entered upon the discharge of his duties.

MESSAGES.

The following message was received from the Senate:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has perfected its organization by the election of the following officers, as follows:

Secretary—T. B. Buchanan.

Assistant Secretary—Richard D. Slater.

Doorkeeper—Richard Huncheon.

And that the Senate is now ready for business.

T. B. BUCHANAN,
Secretary.

RESOLUTIONS.

Mr. Lanham offered the following resolution:

Resolved, That the Clerk inform the Senate that the House of Representatives has organized by the election of Hon. John Overmyer, Speaker; Hon. Cyrus T. Nixon, Principal Clerk; James W. Cole, Assistant Clerk, and L. D. Baldwin, Doorkeeper, and is now ready to proceed to legislative business.

Which was adopted.

Mr. Carleton offered the following resolution:

1. *Resolved*, That the standing rules and orders of the House of Representatives of the General Assembly of the State of Indiana, adopted at the last regular session of the General Assembly, be and they are hereby adopted as the rules of the present session of this House.

2. *Resolved, the Senate concurring herein*, That the joint rules for conducting business in the two Houses of the General Assembly of the State of Indiana, adopted at the last regular session of the General Assembly, be and they are hereby adopted as such joint rules for the present session of the General Assembly.

3. *Resolved*, That two hundred copies of said rules and joint rules, with the Constitution of the State of Indiana, be printed for the use of the members and officers of this body.

Mr. Peelle offered the following resolution as a substitute :

Resolved, That the standing rules and orders of the House of Representatives of the session of 1872 and 1873 be adopted as the standing rules of this House until otherwise ordered.

Resolved further, That 200 copies of said rules be printed.

Which substitute was accepted by Mr. Carleton, and the resolutions adopted unanimously.

Mr. Collins offered the following resolution :

Resolved, That a committee of two on the part of the House, be appointed to join a like committee on the part of the Senate, to wait upon His Excellency, the Governor, to inform him of the organization of the two Houses, and learn of him at what time it will suit his convenience to make whatever communication he may desire, to the General Assembly.

Which was adopted, and the Speaker thereupon appointed Messrs. Carleton and Grubbs to act as such committee on the part of the House.

Mr. Foster of Allen, offered the following resolution :

Resolved, That the daily meetings of the House shall begin at 9 o'clock A. M., until otherwise ordered.

Which was adopted.

Mr. Peelle offered the following resolution :

Resolved, That when bills are presented, which seek to repeal, or amend any law, or part of law, the person presenting such bills shall note at the head thereof, the volume, page and section of such statute so sought to be repealed or amended.

Adopted.

Mr. Adams presented the following resolution :

WHEREAS, The Hall of the House of Representatives is totally unfit and affords insufficient accommodations for the inauguration of the Governor elect, on Monday next, January 8th; therefore

Resolved, That a special committee of five be appointed, with instructions to secure a convenient and suitable hall in which to hold the ceremonies of the inauguration of Governor Williams.

Which was adopted.

Mr. Lane moved that the House do now adjourn until 2 P. M.
Motion lost.

Mr. Oglebay offered the following resolution :

Resolved, That we cheerfully and cordially endorse the spirit and sentiments of the inaugural address of our Honorable Speaker, and especially that portion in reference to the discussion of national politics, and believe if this advice is strictly adhered to much time will be saved, much bitter feeling avoided, and needed reform inaugurated in the transaction of business in the Indiana Legislature.

Which was adopted.

Mr. Branyan offered the following resolution :

Resolved, That the printing of the rules adopted by the House be deferred until after the appointment of the standing committees of the House and the adoption of joint rules, and that when the same are printed the joint rules and names of committees be also printed with them.

Which was adopted.

On motion, the House adjourned to 2 o'clock P. M.

AFTERNOON SESSION,

JANUARY 4, 1877.

The House met, with the Speaker in the chair.

Mr. Thomas of Parke moved to reconsider the vote by which Mr. Adams' resolution for the appointment of a committee to secure a hall for the inauguration of the Governor elect, prevailed.

Which motion was agreed to.

Mr. Swayzee moved to amend the resolution by striking out the word "totally unfit."

Mr. Lanham submitted the following amendment:

Amend the amendment by striking out the entire preamble.

On motion of Mr. Davis, the amendment and the amendment to the amendment were laid upon the table.

Mr. Lehman submitted the following as a substitute for the original resolution:

Resolved, That a committee of five be appointed to act with a like committee to be appointed by the Senate, to secure a safe and commodious hall for the inauguration of Governor and Lieutenant-Governor, on Monday next, the 8th, and that the expense for the use of such hall shall not exceed fifty dollars.

Which was adopted.

The Speaker appointed Messrs Adams, Yaryan, Collins, Oglebay and Garver to act as the committee under the resolution.

Mr. Adams moved to reconsider the vote by which the hour of the morning meeting of the House was fixed at 9 o'clock.

Which motion was not adopted.

Mr. Moorman offered the following resolution :

Resolved, That the sincere thanks of the members of the House of Representatives be and are hereby tendered to Hon. John E. Neff, the Secretary of State for his prompt and gentlemanly manner and services in organizing this body.

Which was adopted.

Mr. Oglebay offered the following resolution :

Resolved, That the thanks of the House of Representatives be and the same are hereby tendered the Hon. W. E. Niblack, Judge of the Supreme Court, for the service rendered by him this day in assisting to organize the House.

Which was adopted.

Mr. Carr offered the following resolution :

Resolved, That the Secretary of State be requested to furnish the members of this House, for their use during the present session, with Davis' new revised statutes of Indiana, 1876.

Mr. Lane offered the following amendment to the foregoing resolution :

“Moved that the doorkeeper be instructed by the Chair to procure either from the State Librarian or Secretary of State, a sufficient number of the statutes of the State of Indiana with which to supply the members of the House of Representatives said statutes, to be used during the session of the Legislature, and not become the property of individual members unless the State receive payment for the same, such payment being the wholesale price of said statutes.”

Which amendment was adopted, and the resolution as amended passed.

Mr. Collins offered the following resolution :

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives on Saturday next at ten o'clock A. M., for the purpose of opening and publishing the election returns of the votes cast for Governor and Lieutenant-Governor at the election

held on the 10th of October, 1876; that seats be assigned the Senate on the right of the Speaker, and all necessary arrangements be made for said Joint Convention by the Doorkeeper of the House.

Which resolution was adopted.

Mr. Oglebay offered the following concurrent resolution :

WHEREAS, The excitement over the late Presidential election, the general stagnation of business in consequence thereof, the popular and wide spread dissatisfaction with the electoral system of choosing President and Vice-President, admonish us of the inefficiency and unsatisfactory workings of the system ;

AND WHEREAS, We the representatives of the people of Indiana, believe that the majority should rule ; therefore,

Be it resolved by the Senate and House of Representatives, That we respectfully request and instruct our Senators and Representatives in Congress, to provide for the enactment of an amendment to the Constitution of the United States providing for the election of President and Vice-President by the popular vote.

Resolved, That His Excellency, the Governor, be respectfully requested and instructed to transmit a copy of these resolutions to each of Senators and Representatives in Congress.

On motion of Mr. Adams, the resolution was ordered to be referred to the committee on federal relations when the same shall be appointed.

Mr. Carr offered the following resolution :

Resolved, That the State Librarian be requested to deliver on the desks of this House the inkstands now in his possession immediately, for the use of the members of this House.

Mr. Leeper moved to lay the resolution upon the table.

But the motion was lost, and the resolution was adopted.

Mr. Peelle offered the following resolution :

Resolved, That the thanks of this House be and the same are hereby tendered to the Rev. Mr. DeLaMatyr for his services as the officiating minister in the organization of this body.

Which was adopted.

Mr. Grubbs from the special joint committee on the part of the House to inform the Governor of the organization of the General Assembly, submitted the following report:

To the Speaker of the House of Representatives :

Your committee appointed to wait upon His Excellency, Gov.

Hendricks, and advise him of the organization of the House and of its readiness to receive any communications he might desire to make, beg leave to report that they have discharged said duty, and Governor Hendricks has indicated his desire to communicate with the House on to-morrow (Friday) at 11 o'clock A. M.

Respectfully submitted :

G. W. GRUBBS,
A. B. CARLETON.

Mr. Rea, representative, from the county of Ripley, appeared, presented his credentials, and was sworn into office by the Speaker.

Mr. Oglebay offered the following resolution :

WHEREAS, It has been usual to have the session of the General Assembly opened by prayer, in the convention of the two Houses for hearing the Governor's message ; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That a committee of three be appointed by the House to act with a like committee on the part of the Senate, to wait upon some clergyman of the city and request him to perform that service ; and that the Senate be invited to attend in the hall of the House of Representatives to-morrow at 11 o'clock A. M. to hear the message of his Excellency, the Governor.

Which was adopted.

The Speaker appointed Messrs. Oglebay, Leeper and Swayzee, a committee to carry out the purpose of the foregoing resolution.

Mr. Adams offered the following resolution .

Resolved, that the Doorkeeper be and is hereby directed to ascertain if suitable accommodations for the several committees of this House, convenient to the State House, can be secured during the session of the Legislature, and the cost thereof, and report upon the above at an early day.

Which was adopted.

JOINT RESOLUTIONS.

Mr. Crumpacker introduced Joint Resolution No. 1. A joint resolution to amend section 14 of article second of the Constitution of the State of Indiana.

Which was read the first time and ordered to be placed on the calendar.

Mr. Warrum introduced House Joint Resolution No. 2. A joint

resolution on the subject of a uniform rate of interest for the loan and forbearance of money, and providing penalties for the violation and evasion thereof.

Which was read the first time and ordered to be placed upon the calendar.

BILLS INTRODUCED.

Mr. Carleton introduced House Bill No. 1. A bill to amend sections 7 and 8 of the act concerning real property and the alienations thereof.

Which was read the first time and placed on the calendar.

Mr. Branyan introduced House Bill No. 2. An act to amend sections 8 and 9 of an act to enable owners of wet lands to drain and reclaim them where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith, approved March 11, 1867, and declaring an emergency.

Which was read the first time and placed on the calendar.

Mr. Freeman introduced House Bill No. 3. A bill regulating the number of petit jurors on trials before the courts of this State, repealing all laws in conflict therewith, and declaring an emergency.

Which was read the first time and placed on the calendar.

Mr. Hulett introduced House Bill No. 4. A bill amending section 27 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Which was read the first time and placed on the calendar.

Mr. Viehe introduced House Bill No. 5, entitled, a bill for an act to legalize the subscriptions of the city of Vincennes to the capital stock of the Vincennes Drawbridge Company and the bonds issued to pay the same and the taxes levied and assessed for the payment thereof, and to authorize taxes to be levied, assessed and collected for the payment of such bonds as yet remain unpaid.

Which was read the first time and placed on the calendar.

Mr. Branyan introduced House Bill No. 6. A bill to amend section 2 of an act entitled "An act in relation to the order of business in the Circuit Court, and giving the court the power to empanel

special juries in certain cases," approved March 7, 1873, and declaring an emergency.

Which was read the first time and placed on the calendar.

Mr. Henderson introduced House Bill No. 7. A bill for an act creating the Forty-second Judicial Circuit, fixing the time of holding courts therein, and also the time of holding courts in the Twenty-fourth Judicial Circuit, and providing for the transfer of certain business from the Twenty-fourth to the Forty-second Judicial Circuit and providing for the appointment of a Judge and Prosecuting Attorney therein, and declaring an emergency.

Which was read the first time and placed on the calendar.

Mr. Peelle introduced House Bill No. 8. "A bill to amend section 1 of an act entitled 'An act to exempt property from sale in certain cases,' approved February 17, 1852, and adding a supplemental section thereto."

Which was read the first time and placed on the calendar.

Mr. Crumpacker introduced House Bill No. 9. A bill to amend section 70 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts and providing for the election of judges and prosecuting attorneys in certain cases, approved March 6, 1873, and declaring an emergency."

Which was read the first time and placed on the calendar.

Mr. Harris introduced House Bill No. 10, entitled a bill to fix the time of holding Circuit Courts in the Eleventh Judicial Circuit, and to repeal all laws in conflict herewith, and declaring an emergency.

Which was read the first time and placed upon the calendar.

Mr. Hulett introduced House Bill No. 11, entitled a bill to amend section 1 of "An act to provide for the regulation of the running at large of all kinds of animals within the different townships in the different counties of the State, and to provide for the taking up, impounding and selling all such animals as shall not be allowed by law to run at large," approved May 13, 1852,

Which was read the first time and placed upon the calendar.

Mr. Adams introduced House Bill No. 12. A bill to amend sections 1 and 3 of an act entitled "An act to amend sections 102, 107, 108, 125 and 270, and to repeal section 276, of an act entitled 'an

act to provide for a uniform assessment of property, and for the collection and return of the taxes thereon,' approved December 21, 1872, repealing all laws in conflict herewith, adding supplementary sections to said act, and declaring an emergency," approved February 11, 1875, and adding supplemental sections thereto, and declaring an emergency.

Which was read the first time and placed on the calendar.

Mr. Branyan introduced House Bill No. 13, entitled a bill to amend sections 19 and 20 of an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1862, and declaring an emergency.

Which was read the first time and placed upon the calendar.

Mr. Hulett introduced House Bill No. 14. A bill prescribing the duties of the treasurers of the several counties and the Treasurer of the State of Indiana, in relation to the interest or hire that is received by them for the loan or deposit of the public funds that they may hold by virtue of their office, and declaring an emergency therefor.

Which was read the first time and placed on the calendar.

Mr. Collins introduced House Bill No. 15, entitled "A bill appropriating one hundred and twenty-five thousand dollars to defray the expenses of the Fiftieth Regular Session of the General Assembly of the State of Indiana.

Which was read the first time and placed on the calendar.

Mr. Oglebay introduced House Bill No. 16. A bill to provide suitable books for the records of the acts of justices of the peace.

Which was read the first time and placed on the calendar.

Mr. Warrum introduced House Bill No. 17, entitled "A bill to prevent evasions and misconstructions of laws for the government and responsibilities of railroad corporations; to provide the means of redress and punishment for wrongs and injuries committed by them.

Which was read the first time and placed on the calendar.

Mr. Branyan introduced House Bill No. 18. A bill to amend section 397 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases of the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of

pleading and practice, without distinction between law and equity," approved June 18, 1852, and declaring an emergency.

Which was read the first time and placed on the calendar.

Mr. Oglebay offered the following concurrent resolution:

Resolved by the House of Representatives the Senate concurring,
That there shall be appointed by the House and Senate a joint committee consisting of six Representatives and three Senators, to which committee shall be referred all claims, which, if allowed, would properly be included in the specific appropriation bill that may be presented to either the House or the Senate; and after said claim have been acted upon by said said committee, the chairman thereof or some other member whom he may designate, shall report to each House their action thereon.

Which, on motion of Mr. Langdon, was laid on the table.

On motion of Mr. Branyan, the House adjourned to 9 o'clock to-morrow morning.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

JANUARY 5, 1877.

The House met at 9 o'clock, with the Speaker in the chair.

The Journal of yesterday's proceedings was read and approved.

The Speaker appointed as Pages, Willie Townsend, William L. Starrett and Eddie H. Wright.

The Speaker laid before the House a memorial of the National Board of Trade of the United States, touching the advisability of the State establishing and maintaining schools for the imparting of instruction of mechanical arts and methods.

Which was read, and on motion laid upon the table for future reference.

Mr. Little moved that a vote of thanks be given State Librarian Dalton for furnishing inkstands for the use of members.

Mr. Lanham moved that the motion be laid upon the table.

Which motion prevailed.

Mr. Yaryan offered the following resolution.

Resolved by the House, the Senate concurring, That the Door-keepers of the House and Senate purchase pens, paper, ink and inkstands for the use of members, upon the best terms the same can be obtained, and that they furnish each with such amount and at such time and cost as he may demand upon his written order, of which they shall keep a careful and strict account.

Mr. Albert moved to lay the resolution on the table.

Which was not agreed to.

The question being upon the adoption of the resolution.

Mr. Collins moved the previous question, which was seconded, and the main question was ordered by consent.

Messrs. Collins and Reno demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Austin, Branyan, Bumgarner, Carey, Carson, Chawner, Claypool, Cole, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Girton, Grubbs, Guthrie, Hall, Harris, Highway, Kennedy of Rush, Lane, Little, Lockhart, Mathews, Scott, Thomas, Thomson of Howard and Miami, Whitehead and Yaryan—32.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Askren, Baxter, Benz, Butler Carleton, Carr, Coffman, Collins, Compton, Conley, Cook, Crumpacker, Davis, Freeman, Fromm, Girton, Gossman, Houghton, Hauss, Henderson, Hooper, Hosmer, Hubbard, Hulett, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Madden, Marsh, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Wells, Warrum, Zering, Zimmerman and Mr. Speaker—65.

The following message was received from the Senate:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has adopted the concurrent resolution of the House relative to the

two Houses meeting in joint session for the hearing of the message of His Excellency, the Governor, at 11 o'clock A. M. of this day.

Mr. Moorman offered the following resolution :

Resolved, That the State Librarian be respectfully requested to furnish locks for the desks, in working order and proper keys, so that the private property of members during their necessary absence from the Hall may be secure.

Which was adopted.

Mr. Morrison offered the following resolution :

Resolved, That the Secretary of State furnish each member of this House a copy of the Journal of the House of Representatives of the last session.

To which Mr. Lanham offered the following amendment :

Amend by including the Journal of the Senate for the same session.

Which was accepted by Mr. Morrison, and the resolution as amended, was adopted.

Mr. Scott offered the following resolution :

Resolved, That a committee of five be appointed by the Speaker, whose duty it shall be to invite the resident ministers of Indianapolis to be present when convenient at the beginning of each day's session of this House, and when called upon by the Speaker, to open the deliberations of this body by a brief prayer.

To which Mr. Craft offered the following amendment :

Resolved, That the Ministerial Association of the city be requested to select some one of their number to attend and open the daily sessions of this House with prayer.

Which amendment was accepted by Mr. Scott, and the resolution as amended, was adopted.

Mr. Adams made the following report from the committee appointed to secure a hall for the inauguration of the Governor :

MR. SPEAKER :

Your committee appointed with instructions to procure a suitable hall, at a cost not exceeding fifty dollars, in which to inaugurate the Governor elect, on Monday, January 8th, would offer the following report :

We found two halls that were not engaged for that day. The

Grand Opera House can be obtained at a cost of fifty dollars, and the Masonic Hall for fifteen dollars, the latter of which your committee secured, subject to your approval.

Respectfully submitted :

J. C. ADAMS,
WM. GARVER,
W. R. OGLEBAY.
JOHN YARYAN,
A. B. COLLINS,
D. D. DYKEMAN,
S. M. STOCKSLAGER,
A. D. STREIGHT.

The question being on the adoption of the report, and the ayes and noes being demanded by Messrs Kennedy of Union and Branyan,

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Carey, Carleton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Haughton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Howard and Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zering, Zimmerman and Mr. Speaker—91.

Those who voted in the negative were Messrs. Ames, Coffman, Hall, Hulett, Kennedy of Union, Reno and Thompson of Elkhart—7.

So the report stands adopted.

Mr. Grubbs offered the following resolution :

Resolved, That a committee of three be appointed by the House to wait upon and escort the Senate to the Hall of the House at the joint meeting of the Assembly this morning at 11 o'clock, for the purpose of hearing the message of His Excellency, Gov. Hendricks.

Which was adopted, and the Speaker appointed Messrs. Grubbs, Carleton and Yaryan such committee.

Mr. Foster of Monroe offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker to act in conjunction with a committee of three from the Senate, to make all necessary arrangements for the inauguration of Governor Williams in Masonic Hall on Monday, 8th January.

Which was adopted, and the Speaker appointed Messrs. Foster of Monroe, Collins and McGaughey to act as such committee.

Mr. Oglebay submitted the following report:

MR. SPEAKER:

The joint committee appointed to procure a clergyman to open the joint convention of the two Houses with prayer, have performed that duty and report that they have secured the services of Rev. Wm. Alvin Bartlett, of Indianapolis.

Signed:

W. R. OGLEBAY,
D. R. LEEPER,
A. C. SWAYZEE,
WM. BAXTER,
H. R. WILSON,

Committee.

Which report was concurred in.

Mr. Garver presented the following resolution:

Resolved, That the members and employes of the House be permitted to make applications for and draw the *per diem* allowance that may then be due them on the 13th inst., and thereafter during the session every two weeks from that date, and not oftener.

The resolution was not adopted.

The hour having arrived for hearing the Governor's message, the Senate appeared and was assigned places on the right of the Speaker.

The joint convention was presided over by Lieutenant-Governor Sexton.

Mr. Carleton moved that a committee be appointed to wait upon the Governor and inform him that the General Assembly has met in the Hall of the House for the purpose of hearing such communication as he might desire to make to them.

Which motion prevailed, and Mr. Peed, on the part of the

Senate, and Mr. Carleton, on the part of the House, were appointed as such committee.

The committee appearing with His Excellency, the Governor, the Throne of Grace was addressed by Rev. Wm. Alvin Bartlett.

His Excellency, Governor Hendricks, then communicated the following message to the General Assembly:

GOVERNOR'S MESSAGE.

Gentlemen of the Senate and House of Representatives :

In this communication I wish to put you in possession, as fully and clearly as I can, of the present financial condition of the State, and of the management of the State Institutions, and of the several State offices during the past two years. For detailed information, I must refer you to the several reports herewith submitted.

STATE REVENUES.

The assessed value of the taxable lands and improvements in the State in 1875 was \$621,416,973; of railroads, \$38,436,919; of other corporations, \$4,045,503; of telegraph companies, \$173,241; and of personal property, \$233,667,147, making a total of the taxable property of the State, \$897,739,783. This shows a decrease in value of \$57,117,692. The appraisalment of real estate made in 1875 will remain unchanged for five years, under the act of February 11, 1875. The assessment of personal property and corporate property made in 1876 shows a decrease since 1875. The returns made in 1875 show two hundred and eighty-two thousand three hundred and ninety one-persons in the State who are subject to a personal, or poll, tax of fifty cents each. The assessments of property amounting to \$897,739,783, and the personal, or poll, tax constitute our important sources of revenue.

RECEIPTS AND EXPENDITURES.

There was in the treasury, October 31, 1874, \$244,203 78. During the year ending October 31, 1875, there was received for State purposes as revenue \$1,393,029.78. During the year ending October 31, 1876, there was received for State purposes \$1,277,678 73. During the same years, there was received on account of the benevolent institutions \$334,042.55. This sum was realized from the labor of the inmates and from individuals and counties pursuant to

law. The payments from the treasury during the two years ending October 31, 1876, for revenue refunded, for ordinary expenditures and for benevolent, educational and penal institutions amounted to \$2,408,718.25. During the same two years, pursuant to the act of December 12, 1872, sixty-five bonds with their coupons have been surrendered and paid, amounting to \$73,679.00. Twenty-nine are yet outstanding, some not having become due and others not presented for payment. For a more particular description of the bonds and coupons, which have been paid, I refer you to the detailed lists thereof, which accompany the reports of the Auditor of State for 1875 and 1876. For a statement of the receipts and expenditures on account of the several trust funds, I refer you to the same reports.

STATE DEBT.

The State is indebted as follows :

Five per cent. Certificates, State Stock.....	\$16,469 99
Two and one-half per cent. Certificates, State Stock...	3,285 13
Six per cent. War Loan Bonds, due 1881.....	139,000 00
Twenty-nine old bonds required to be paid by the act of December 12, 1872.....	29,000 00

The accumulated interest upon the twenty-nine old bonds should be added, but I have no means of accurately ascertaining the amount. The sum will not be large.

Seven per cent. temporary loan bonds due April 1, 1878.....	200,000 00
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The temporary loans at seven and eight per cent. made under the act of March 10, 1873, which became due April 26, 1876, and December 1, 1876, amounting to \$710,000 have been discharged and six per cent. bonds in lieu thereof have been issued under authority of the act of March 12, 1875, as follows :

Six per cent. temporary loan bonds due April 1, 1879.....	\$510,000 00
Six per cent. temporary loan bonds due December 1, 1879.....	200,000 00
	<hr/>
	\$710,000 00

Total indebtedness of the State.....\$1,097,755 12

The indebtedness of the State to the School Fund is evidenced by five non-negotiable bonds payable by the State and amounting to

\$3,904,783.21. That is known as the domestic debt and represents that much of the School Fund which was used by the State authorities and for which the State is responsible to that fund under the Constitution. For a particular description of the bonds, their dates and amounts, I refer you to the report of the Auditor of State.

In obedience to the requirement of section 4 of an act entitled "An act to provide for the issuing certificates in cases of the casual destruction of outstanding State Bonds and of duplicates in cases of the casual destruction of State certificates of stock," approved March 1, 1855, I have to report that, on the 21st day of April, 1875, the Governor, Auditor and Treasurer of State authorized payment to be made to A. Goettel & Co., in the sum of ten thousand dollars in discharge of original certificate No. 956 of Indiana State Stock shown to have been destroyed while outstanding.

PUBLIC PRINTING.

Under the act of March 13, 1875, the Bureau of Public Printing was organized, with Charles P. Hutchinson, Esq., as its clerk. During the sixteen months after its organization, the cost of public printing amounted to \$13,881.57, and the stationery for the public offices, to \$1,287.48, making the total for printing and stationery \$15,169.05. The report of the Secretary of State gives a detailed statement of the expenditures for printing and stationery. His statement and estimate for the balance of the year, as compared with the expenditures for eleven years preceding, shows a saving to the State in two years of over seventy thousand dollars. I call your attention to the statements and recommendations of the Secretary of State in relation to the proceedings for the sale of certain State lands under the Act of March 11, 1875; in relation to obtaining the original records, or copies, of the patents made by the Trustees of the Wabash and Erie Canal of the lands conveyed to them by the State and by them sold to citizens; in relation to indexing and supervising the printing of the Senate and House Journals by his office; and in relation to the establishment in his office of a bureau of statistics. His recommendations should receive your careful consideration.

Your attention is also called to the financial statements carefully and accurately made by the Treasurer of State in his able reports. The reports of the Attorney General give elaborate and satisfactory

statements of the proceedings of his office and of the moneys collected through its instrumentality.

There are many duties devolved upon the State Librarian. His report shows that they have been carefully and efficiently discharged.

THE SCHOOLS.

I ask your careful examination of the report made by the Superintendent of Public Instruction, and your consideration of the suggestions and recommendations made by him. The condition of the schools and of the revenues by which they are sustained is clearly and accurately stated. Original tables, the result of much and careful labor, present in succinct form the results of our system of common education in every locality of the State, and add greatly to the interest and usefulness of the report. The enumeration of 1876 shows the total number of white children 668,969, and of colored children 10,261, making a total of 679,230, being an increase since last year of 11,494. The number of white children enrolled in the schools is 509,307, and of colored children 6,963, making in all 516,270. There are 9,434 school houses in the State, and their aggregate value is \$11,548,993.67. There are 13,317 white teachers, and 94 colored now employed, making in all 13,411. Of the teachers 7,852 are males, and 5,559 are females. The school fund of the State is as follows:

Common school fund held by counties, June, 1876...	\$2,523,988	33
Non-negotiable bonds.....	3,904,783	21
Congressional township school fund.....	2,442,100	89
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Total permanent fund.....	\$8,870,872	43

This statement shows an increase during the past two years of \$159,552.83. The revenue realized during the year ending June 30, 1876, to be used in the support of the schools is distinct from the foregoing permanent fund, and is as follows:

Amount derived from State tax for the year ending		
November 1, 1875.....	\$1,577,533	18
Amount derived from interest on common school fund		
held by counties to November 15, 1875.....	192,271	52
The interest paid by the State on non-negotiable bonds	\$234,287	00
Amount derived from unclaimed fees, etc.....	3,200	85
Amount of congressional township school revenue		
reported by county auditors.....	181,159	80

Amount of local tuition tax collected to November	
15, 1875.....	768,142 14
Amount of proceeds of liquor licenses reported.....	217,562 28
Total amount of tuition revenue	\$3,174,156 77

This is probably the last message which I will address to the Legislature, and I beg to repeat what I said in my inaugural address four years ago: "I need not urge you to extend a protecting and fostering hand over our free schools, and to guard with anxious care the funds that support them. Coming, as you do, from among the people, you can not be indifferent to an influence so important to their welfare and to the true dignity and strength of the State." I would not now abate anything from any sentiment which I then expressed, but my observation since coming into office convinces me that the danger to our policy and system of common school education is not to be apprehended from any want of popular interest therein, nor from any reluctance on the part of the people or their representatives to meet the necessary expenses thereof, but from a discontent which is sure to arise should there be carelessness and extravagance in the expenditure of the money provided for its support. The permanence and prosperity of the common schools require economy and efficiency in their management.

STATE NORMAL SCHOOL.

The appropriation made by the last Legislature for the completion of the Normal School building has been carefully and economically expended, and the work well done. For a full statement of the expenditures of the institution I refer you to the report of Judge Scott, the treasurer of the board. Of an indebtedness contracted by the former management the sum of \$4,543.25 remains unpaid. I recommend that provision be made for its payment. The grounds upon which the building stands should be fenced, and an appropriation sufficient for that purpose should be made.

INDIANA UNIVERSITY.

For a statement of the management and condition of the State University, and of the expenditures in its support, I refer you to the reports of the trustees and officers of the institution.

PURDUE UNIVERSITY.

In a statement so brief as I would be compelled to make, the history, organization and present condition of Purdue University could

not be given. In each of these particulars the report made by President White is very full and exact, and I refer you to it for the information necessary to guide your action in respect to that institution. I will repeat what I said to the last Legislature: "I have taken much interest in this institution and have given to its management all the attention I could bestow. Good faith and policy require that it be made successful and to accomplish the beneficent purpose of the grant. In the language of the grant, it is intended to 'promote the liberal and practical education of the industrial classes in the several pursuits and professions of life.' It is the people's university, and I commend it to your watchful and fostering care."

HOSPITAL FOR THE INSANE.

The last two reports of the commissioners and superintendent cover a period of two years, from November 1, 1874, to November 1, 1876. At the commencement of that period there were four hundred and eighty-two patients in the institution, and at the close six hundred. During that period six hundred and ninety-six patients were discharged and nine hundred and twenty-seven admitted. During the first year there were forty-seven deaths and during the last seventy-nine. Of those discharged during the two years five hundred and sixteen were discharged as recovered, fifty as improved, one hundred and five as not improved, and two as not insane. The expenditures during the two years for maintenance, including clothing, salaries and wages, amounted to \$290,033.24. I call your attention to the recommendation of the Superintendent for an appropriation to construct a telegraph line connecting the institution with the fire department of this city. It is important to prevent serious loss by fire.

Under the act of March 11, 1875, providing for the construction upon the hospital farm of additional buildings, I appointed Dr. James S. Athon as one of the commissioners of the Provisional Board. His great experience in the management of the Hospital enabled him to render valuable service to the State, especially in deciding upon the plans for the new building. Upon his death, which occurred October 25, 1875, I appointed Dr. Robert N. Todd, of Indianapolis, as his successor. The provisional board has given close attention to the duties imposed by the law. All the plans, propositions and contracts were carefully considered and scrutinized. The plan adopted was presented by Dr. Everts, and is of a building of six distinct hospitals of L-shaped sections connected one with

another by means of towers. Ventilation and light in every part of the structure and security from fire are carefully provided for. The walls are nearly completed. The work is well done, of good material, and at economical rates. The expenditures amount to \$295,038.54. For the details in the progress of the work, and for the amount necessary to complete the building, I refer you to the reports of the superintendent and architect, and I recommend that you provide for its completion during this year. This is called for by the wants of the unfortunate class for whom it is intended to provide.

THE INSTITUTE FOR THE BLIND.

The entire number of pupils enrolled at this Institute during the year ending October 31, 1875, was one hundred and sixteen; and during the year ending October 31, 1876, one hundred and six. The reports do not enable me to say with accuracy what has been the average attendance, but it has probably been about one hundred. It is stated in the Trustees' report of 1875, that an attendance of one hundred and three "fully exhausts the proper capacity of the institute with its present building accommodations." The expenditures for the years 1875 and 1876, each year closing October 31, amount to \$65,515.36, of which \$1,974.34 was for construction and repairs. Assuming that the average attendance has been one hundred and three, the expenditures have been equal to three hundred and eight dollars per annum, and nearly six dollars per week for each pupil.

INSTITUTION FOR EDUCATING THE DEAF AND DUMB.

The average number of pupils in attendance during the past two years has been two hundred and ninety-nine. The expenditures during that period amounted to \$121,028.27. The report of the Superintendent, for 1874, stated the fact that the increase of deaf-mutes in the State was in a ratio exceeding that of the increase of the population. The number of applicants for admission to the institution, as shown by the reports for 1875 and 1876, justify the opinion that such increase does not continue. The malignant sickness to which he attributed the increase, has been less prevalent for a few years past, and we may indulge the hope that the number of deaf-mutes entitled to an education from the State will not increase, but for a while may decrease.

THE SOLDIERS' ORPHANS' HOME.

This institution is an asylum for the orphan children of deceased soldiers. It is also a school for their education. It also seeks to provide for them permanent and good homes among the people. It is an object of public interest and I am gratified at being able to say that during the two years ending October 31, 1876, its general management has been admirable and its schools now compare well with the better class of schools throughout the State. During that period the number of children provided for in the institution has averaged two hundred and ninety-four. About fifty have been admitted each year and a like number discharged, making in all for each year three hundred and fifty. The judgment, skill and kindness in taking care of that number of children for a period of two years is shown in the fact that but three deaths have occurred at the institution. The expenditure is regulated by permanent law, fixing it at two dollars per week for each child. The salaries of the officers, amounting to \$2,960 per annum, are paid under authority of the permanent appropriation in the law establishing the Home.

I call your particular attention to the recommendations of the Auditor of State in respect to the management of the benevolent institutions. I agree with him that they should be much more economically administered. The expenses should be reduced at least in proportion to the reduced cost of the supplies and to correspond somewhat to the habits of close economy which the people have been compelled to adopt in their private expenditures. These institutions should be maintained in the spirit of the constitutional requirements and with no abatement of care and expenditure that would impair their usefulness or lessen the substantial comforts of the unfortunate classes for whom they are provided. The Hospital for the Insane and the schools for the blind and the deaf-mutes are the three great benevolent institutions of the State. The proper management of the insane requires the constant care of a large number of faithful attendants and the supervision of physicians of good professional attainments. The inmates are to be cared for as diseased persons under treatment for their recovery, and the food must not only be nutritious but suited to each particular case. A hospital for the cure of the insane is necessarily an expensive institution, and I am not prepared to say that Dr. Everts' estimate of \$4.50 per week for each patient is too high. But it will be the duty of your appropriate committees to make a

thorough examination and ascertain whether any proper reduction can be made, any superfluous expenditure struck off. This is now the more important because of the fact that before the next legislature will meet the new hospital building will have been completed, and, probably, six or eight hundred added to the number of patients, and increasing the annual expenditures one hundred and fifty thousand dollars.

The institutions for the blind and for deaf-mutes are schools for their education and for teaching them some useful trade or business that may make them independent of the charities of society, in future life. The education of the blind and the deaf is difficult, because they are each lacking in an important sense. They require greater care, because they are less able to take care of themselves than other children, and more teachers are required than in ordinary schools. I take these facts into consideration, and yet the expenditures appear extravagant.

The children are at the institute but forty weeks each year. During the twelve weeks of vacation in the summer they are at home. The State is at no charge for clothing or transportation. For these expenses, provision is made by the parents or the counties. By reference to the report of the Superintendent of the Institute for the Blind, you will see that the cost of the care and education of the blind children, for the forty weeks of attendance, is about seven dollars and fifty cents per week—about three dollars per person more than the expenses of the insane, and three times greater than the care, education, and clothing of the soldier's children at the Soldiers' Orphans' Home. It is proper to suggest that the number of pupils is much less than that of those provided for in other institutes, being but an average of one hundred and three, and that the expense, per capita, must necessarily be somewhat greater. Mr. Mac Intire, the Superintendent of the Institution for the Education of Deaf-Mutes, estimates that your appropriation should be two hundred and fifteen dollars for each pupil. That is at the rate of five dollars and thirty-seven cents per week for the forty weeks of attendance. That is largely above the estimate for the Insane Hospital, and more than two and one-half times greater than the per capita expenses at the Soldiers' Orphans' Home.

The boards of trustees in charge of the benevolent institutions do not give that protection to the State which was intended. They make stated visits, hastily examine the vouchers and accounts, and look through the wards and rooms, but generally receive their

views and opinions from the superintendents. There is not that thorough investigation and rigid control which should prevail.

I had thought of recommending that the institutions in the immediate neighborhood of this city should be placed in charge of the State officers, but it has been suggested that such a control might introduce party politics into their management, which I would regard as an intolerable vice. By some change a more direct control and responsibility for the economical and proper management of these institutions should be placed upon the Governor and State officers. They are State institutions, supported directly from the State treasury, and should be under State control. Perhaps it will be sufficient to place them under one board, to be appointed by the Governor with the approval of the Senate, forbidding any partisan organization of the board.

It has been and is the practice for the superintendents and assistants to maintain their families in the institutions. I suppose it may be necessary in the Hospital for the Insane, but not in the other institutions. The expenses of private establishments should not be mingled with the public expenditures. Like other public officers, the superintendents and assistants should provide their homes and expenses entirely separate from and outside the public expenditures. That would result in a large reduction, as I believe, in the expenditures, and would, also, allow a large increase of the number of children to be educated, by converting the apartments used for family purposes into rooms for the inmates. It can not be necessary that it shall cost \$30,000 more to take care of and educate two hundred and ninety-nine children in the Institution for the Deaf and Dumb for forty weeks, without any charge for clothing, than to clothe, educate and take care of two hundred and ninety-four children in the Soldiers' Orphans' Home for fifty-two weeks. It is due the Commissioners and Trustees to say that their expenditures have not been in excess of the appropriations.

THE STATE PRISON NORTH.

On the fifteenth day of December, 1875, there were five hundred and eleven convicts in the Northern Prison, and on the fifteenth day of December, 1876, there were six hundred and three, being an increase during the year of ninety-two. During the two years ending December 15, 1876, the revenues of the prison amounted to \$145,712.59, no part of which was from the State Treasury. During the same period the expenditures for current and ordinary

expenses amounted to \$130,059.16. The revenues of the prison have exceeded the ordinary expenses in the sum of \$15,653.43.

Some expenditures have been made out of that sum in payment of a former indebtedness, and in making some necessary permanent improvements. For a statement of the expenditures out of the appropriations made by the last Legislature, for the construction of a new work-shop and an additional cell-house, I refer you to the reports of the Directors. The work has been well done and at economical rates. I call your attention to the recommendations made by the Directors for the early completion of the cell-house, and the construction of another work-shop. The appropriation necessary for the completion of the cell-house should be made at once, so that the house may be ready for use early in the spring. The Directors estimate that by the close of the spring terms of the courts the number of convicts to be provided for will reach seven hundred. With but three hundred and eighty-five cells, it is impossible suitably to provide for that number. I repeat what I said to the last Legislature that "it is hurtful to health and discipline to confine more than one prisoner in a single cell." I repeat also, that "there are constantly insane convicts in both prisons. They should not be kept with the other prisoners. I concur in the recommendation of the Wardens and Directors that provisions should be made for their separate confinement."

The contractors for the prison labor have been paying prices varying from fifty to sixty cents per day for each man. In November last, they gave the Directors written notice that they could not continue their employment at those prices, and that they would abandon their contracts. On the seventeenth of that month, with the Lieutenant-Governor and State officers, I attended the meeting of the Board of Directors, at the prison, and I concurred with the Directors in the opinion that it was necessary to consent to a modification of the contracts. The depressed condition of the business of the country had diminished the value of the products of the labor and decreased the demand for the same. For an abandonment of the contracts, suits upon the bonds, or against the contractors personally, would furnish a wholly inadequate remedy. I was satisfied that it would be impossible to find employment for the labor at nearly the same prices, and whilst the prisoners remain unemployed it is impossible to maintain prison discipline or promote their reformation. The experience at our Southern Prison had shown that employment for the men could not be obtained at prices

above forty-five cents per day. The contracts were modified and the prices reduced to forty-five cents per day, but an additional number of men was taken by the contractors, so that the loss of revenue is not so great as it otherwise would have been, and the number of unemployed men was decreased. I call your attention to the recommendation of the Directors that the law giving the prisoners the benefit of good conduct in the reduction of their terms be amended so as to give still greater encouragement to good conduct. Good discipline has been maintained, and the health of the prisoners has been good. But eight deaths have occurred in the two years.

STATE PRISON SOUTH.

The average number of prisoners in this institution during the year 1875 was four hundred and fifty-five, and during the year 1876 five hundred and thirty-one. On the 15th of June, 1875, Col. Shuler, Warden, Capt. Luke, Deputy Warden, and Dr. Gilpin, Clerk, resigned their several offices and were succeeded by Capt. Andrew J. Howard as Warden, John Craig as Deputy Warden, and H. T. Sage as Clerk. The prison was at that time in many respects in a bad condition, as appears by the reports of the Directors and present Warden. Improvements and repairs had to be made and the prison supplies were exhausted. The convict labor of the prison was then employed under contracts with the Southwestern Car Company at sixty cents per day. That company was then insolvent and in arrear with the State in the sum of \$22,723.58. That indebtedness has since been contested upon the ground that the discipline of the prison had not been maintained as the contracts required, and that therefore the labor was less valuable. The question of liability is pending in the Clark Circuit Court. Subsequently the company made further defaults in payment for the labor, and by virtue of a provision in the contracts, they were, on the 10th of January, 1876, declared cancelled. The car company has gone into bankruptcy. The attorneys for the State claim that if a judgment be recovered for the balances upon the labor it may be collected as a preferred claim under the bankrupt law. The failure of that company left the entire labor of the prison unemployed. Every effort was made by the Directors and Warden to obtain employment. On the 21st of March, 1876, a contract was made under which twenty men have been employed. The residue of the prisoners remained unemployed until the 10th of June, 1876, at which time a contract was made

for the employment of four hundred men, at forty-five cents per day, in building five hundred cars. That work required about three months for its completion. Perrin, Gaff & Company have since contracted for the labor as follows: One hundred men from November 1, 1876; one hundred from December 1, 1876, and one hundred from January 15, 1877, for five years, at forty-five cents per day, all to be employed in the manufacture of shelf hardware. These are advantageous contracts on the part of the State, because they are made with parties of ample means and established character, and because the business will not come in conflict with outside labor. The shops used in the manufacture of cars were not suited to the new work nor adapted to the complicated and costly machinery being erected for its prosecution. The machinery will represent nearly one-half million dollars. The great cost of preparation for the new work is an assurance to the State of permanent employment for the prisoners. More than one hundred men fit for work yet remain idle. Could all be employed, at forty-five cents per day, the institution would meet its ordinary expenses at the reduced cost of supplies. Expensive repairs were made and additional shop room provided for the new machinery. That work required a large expenditure by the Directors. The indebtedness of the prison at the time of Col. Shuler's administration was \$67,277.14. The present Warden has paid thereon \$13,234.21. The indebtedness which has since accrued in consequence of improvements made and the want of work for the prisoners is \$64,297.68. For further details I refer you to the reports and ask your attention to the recommendations made by the Directors and Warden.

HOUSE OF REFUGE.

I concur in the recommendation of the Commissioners for the purchase of additional farm lands. It is necessary to give employment to the boys and to provide supplies for the institution. I understand that the purchase can now be made upon favorable terms. I also concur in the recommendation that an appropriation be made sufficient for the construction of a chapel and hospital. The Commissioners estimate that it will require \$5,000 to construct the chapel and hospital and make improvements in the other buildings necessary to give proper ventilation. I am gratified to state that the estimates for current expenses for the next two years are upon a reduction of twenty-five per cent. I call your attention to

the report of the Superintendent, which gives a most satisfactory statement of the general management of the institution, and also of the details of its management and expenditures.

THE REFORMATORY INSTITUTION FOR WOMEN AND GIRLS.

The repairs and improvements upon the building and grounds contemplated by the appropriation of March 12, 1875, have been completed. The work has cost more than was estimated and the excess over the appropriation has been paid out of the appropriation for expenses. The managers believed themselves justified in going beyond the special appropriation because the improvements upon the adjoining streets and the construction of a portion of the fence required the grading of a part of the ground and they found that the symmetry of the work as well as economy in its prosecution required that the whole should be prosecuted and completed together. The greater part of the work inside the building, providing adequate drainage, sewerage, and an improved mode of heating, may be classed among the necessary expenses of the institution, because they were required to preserve the health of the inmates. For a full statement and description of the improvements made and the cost thereof, I refer you to the reports of the managers. The management of the institution under the charge of Mrs. Smith, as superintendent, has been in a high degree successful. Its influence is seen in the improvement in the character and conduct of the inmates of both the Penal and Reformatory Departments. The expenditures for the ordinary expenses have been carefully and economically made.

STATE BOARD OF AGRICULTURE.

I call your attention specially to the financial report of the Secretary of the Board and to a communication by the President, Secretary and Treasurer to myself touching the condition of its financial affairs, which I lay before you. I need not say to you that the Board of Agriculture is an institution in which the people take great interest. It is intended to promote their welfare by the encouragement of the most important interests of the State. It should be sustained, if possible. I do not favor making it a burthen upon the State treasury, or encouraging its management to look to appropriations for its support. The fairs and exhibitions are useful mainly because they are maintained by the voluntary efforts of the

people. The present embarrassment of the Board is the result of causes not likely again to occur, and the relief required is temporary. The Board estimates its property at \$280,000. Its indebtedness is \$89,500. I can not say that mistake, or mismanagement, may not have contributed somewhat to this indebtedness, but in the greater part it is attributable to causes which the Board could not control. In 1873 the Board undertook the construction upon the fair grounds of a spacious structure for a State exposition. Responsible citizens of Indianapolis gave their guaranty for one hundred thousand dollars against loss. It was not supposed that its construction would cost more than that sum. In my message to the last Legislature I said of that enterprise: "The most important movement of the Board during that period (1873) has been the erection upon the State fair grounds of a beautiful and spacious structure for a State exposition. To induce the Board to enter upon that work four hundred and twenty of the business men of the city of Indianapolis gave their guaranty in the sum of one hundred thousand dollars against loss. The guarantors have paid a large sum upon the cost of construction. The exposition has added greatly to the importance and attractiveness of the State fair. Together they constitute an attractive and useful institution dedicated to the exhibition, promotion and improvement of the agricultural, mechanical mineral and productive industries of the State." I thought the Board did its duty in its efforts to unite in one State exhibition the products of the mechanical skill and the agricultural enterprise of our State. Agriculture and the mechanic arts are mutually supporting. They should stand side by side in our exhibitions. That was the policy in the State and National legislation under which agricultural colleges have been established. Provision was equally made for the promotion of the mechanic arts and the encouragement of agriculture. It did seem that the Board of Agriculture could not possibly sustain a loss in the exposition enterprise after the guaranty of one hundred thousand dollars had been made, but causes tending to produce failure have attended every State fair and exhibition since that time. The first exposition in connection with the State fair was in 1873. Soon after its opening the financial panic swept over the country and the Board sustained a heavy loss. The financial and business depression which has since prevailed has contributed to defeat the efforts of the Board for success.

The disastrous floods which prevailed during the growing and harvesting seasons of 1875, carrying away immense agricultural

wealth, and the absorbing interest in the political contest of 1876, in connection with the prevailing business depression, made the fairs and exhibitions of those two years a failure, and greatly added to the embarrassments of the Board. I have made this somewhat full statement, because the interest is an important one, because its misfortunes could not have been wholly, or in any large degree, avoided, and because for these considerations I thought it your duty, and that it would be your pleasure to give the application for temporary help, your careful consideration.

INDIANA HORTICULTURAL SOCIETY.

For the financial condition of the Indiana Horticultural Society, including the expenditure of the annual appropriation of five hundred dollars from the State Treasury, I refer you to the report of the Secretary.

STATE BOUNDARY LINE.

By the act of February 27, 1875, I was empowered and directed to select a commissioner, resident of this State, and a practical surveyor, who should act with a similar commissioner to be appointed by the Governor of the State Kentucky, to make a survey of the line dividing the States of Indiana and Kentucky, so far as the same is opposite to Green River Island. In pursuance of that requirement, I appointed August Pfafflin, who was the county surveyor of Vanderburgh county, as such commissioner and surveyor on the part of this State. By said act, it was provided that the commissioners should consult and be governed by the surveys originally made by the Government of the United States, and that their survey should be established and marked by proper monuments along the line. It was further provided that a written description of such survey should be recorded in the offices of the recorders of the counties of Vanderburgh and Warrick, and that the original should be filed in the office of the Secretary of State, and that the same should be conclusive evidence, in any of the courts of this State, of the boundary line between said States opposite to said Island. During the progress of the survey, I learned that the commissioners had adopted as the only surveys made by the United States, the lines commonly known as meander lines, and that such lines did not, in fact, conform to the true boundary line of the State. Because of its importance, I felt it my duty

to make a personal examination of the survey, and for that purpose, in company with the Secretary of State, the Auditor of State, the Treasurer of State, and the Attorney General, I visited the locality, and carefully examined the survey. Green River Island lies a few miles above the city of Evansville, near the Indiana shore, and opposite to the counties of Vanderburgh and Warrick.

The survey was made in conformity with the meander lines of the United States survey, and is for much of the distance upon the Indiana bank, and is in many places a number of rods above low water mark. Could the boundary line become thus established, the effect would be to throw a narrow strip throughout the greater distance of the survey into the State of Kentucky, and at one point a number of acres, and to disturb the rights of individual proprietors. The low-water mark of the Ohio river is the established southern boundary of the State, and can not, as I believe, be changed by State legislation, even if both States concur therein. But I thought such a survey so made might become the occasion of a conflict of State jurisdiction, and bring confusion into the claims and rights of individuals, and, therefore, with the concurrence of the State officers, I directed the commissioner on our part to proceed no further. The survey had, in fact, been made and marked, but no record thereof had been made, nor has any record yet been made in the counties of Warrick and Vanderburgh, as I understand, nor has the original survey been filed in the office of the Secretary of State. I am satisfied that the boundary line at that locality should be surveyed and marked, but it should be in accordance with the established rights of the State, at low-water mark. I recommend that the law be so amended as to provide for a survey in accordance with the true boundary of the State, and that the survey already made be declared null and void. I will refer to your bodies a communication addressed to me by citizens of this State, who claim that they are likely to become involved in expensive litigation because of the survey. They are owners of lands, the boundary of which in part is the same with the State boundary. I ask your consideration of their petition, and should it be found that the action of the State in authorizing the survey has confused their rights and involved them in litigation, it is but equitable and just that the State should be at the expense of employing counsel to represent them in that litigation.

A NEW STATE HOUSE.

The Legislature of 1873 directed that steps be taken for the construction of a new State House. Many plans and specifications were accordingly presented to the Legislature of 1875, but no action was taken thereon. The question is now for your consideration whether provision shall at once be made for the prosecution of the work. Upon that subject, I repeat what I said to the Legislature of 1875:

“It can hardly be questioned that a new State House should be built. This house is neither suitable nor safe for the transaction of the public business. It does not correspond with the greatness of the State. It is not creditable. No other State in the Northwest has such a house. These halls are not fit for your sessions. Your constituents when they visit the city can neither see nor hear your proceedings. They are much better provided for in your court houses. You have no suitable committee rooms. You are dependent upon rented rooms over the city. You are thereby hindered in that personal consultation among yourselves which is so important in legislation. The people do not desire this. But they will expect you to avoid that prevalent fault in public buildings of extravagant ornaments. The building should be plain, tasteful, substantial and permanent, adapted to its purposes, and sufficient for the growing demands of the public service. Several years will be required in its construction, and a small special tax annually will be sufficient.”

INTERNATIONAL EXHIBITION.

In my message to the last Legislature, in respect to the Centennial Exposition, I said: “The act of Congress has committed our country and the people to the celebration. A failure would cause us national humiliation. Success will gratify our national pride, and, at the same time, promote our prosperity by attracting the people and wealth of other countries. I recommend that you make such provision as will secure to the people of Indiana and their interests a full and advantageous representation.” In accordance with that recommendation, an appropriation of five thousand dollars was made, to be expended under the direction and advice of the Governor and with the assistance of the State Geologist, for the purpose of paying the expenses of collecting, forwarding, and arranging the specimens of the manufacturing, chemical and mechanical industries of this State, and, also, of the coals, ores,

clays, woods, stones, agricultural, horticultural and floral and other products of this State, to the Centennial Exhibition at Philadelphia, Prof. Cox gave great attention to and bestowed much care upon the discharge of the duty thus devolved upon him. The appropriation was not sufficient to secure to the varied interests of our State a full and proper representation at the Exposition, and our display was not as diversified or extensive as was desirable, but, in most respects, it was creditable. A number of enterprising citizens contributed their time and means to promote the success of our display at the Exposition, and I can not too highly appreciate the value and importance of their efforts. The display made by the Superintendent of public Instruction of the progress and achievements of our schools was in the highest degree successful, and the occasion of gratification to all the people of the State. The expense of that display was borne by the schools. In respect to the exhibit of a high attainment in common school education, I think it proper to say that no State surpassed Indiana. With all the people of the United States, we have occasion to be gratified at the greatness of our Centennial Exposition, and to rejoice at the honorable position our country was able to take and maintain in the comparison of our natural resources, and of our progress in those arts which benefit mankind, with those of older nations.

THE ELECTIONS.

In my inaugural message I said :

“The laws regulating our elections require your special attention. They do not restrain the corrupt, nor protect the votes of the people. Our elections must not become a reproach. Their result must express the will of the people. Our system must be made so efficient as to guarantee purity in the conduct and management of the elections, and also to inspire and establish public confidence. When the people know that a political result has been fairly brought about, all discontent disappears; they cheerfully acquiesce and yield entire obedience to the authority thereby established. I can not now attempt to suggest all the provisions that may be essential to an efficient system, but without the following no system will probably prove efficient :

1. A fair and real representation upon the board of election officers of all political parties having candidates to be voted for.
2. Voting places so numerous, and the precincts so small, in

respect to the voting population, that all who offer to vote may be known by the people of the neighborhood as well as by the officers.

3. A reasonable period of residence in the election precinct as a qualification to vote, so that persons may not pretend a residence not real, in fraud of the law.

You will find an amendment of the second article of the Constitution necessary to enable the Legislature to prescribe such period of residence. The Constitution wisely provides for its own amendment, by a convenient and economical proceeding, which renders it unnecessary to throw upon the people the expense of a convention, and avoids the possibility of changes not desired by them.

4. The exclusion of money, as an influence and power from the elections. If in the contests for power money shall become stronger than the people, we will have the worst government possible. It will be a reproach to us all, when wealth can buy what the loftiest talent and the purest virtue can not attain."

Most of the States have now adopted the Tuesday next after the first Monday in November as the time for their general elections. Our general elections should take place at the same time. I need not give the reasons. They are obvious. I recommend that, without any delay, you take steps for the amendment of the Constitution so that our elections shall occur at the same time as in the other States, and so as to require a residence of at least sixty days in the election precinct as a qualification to vote.

STATE BOARD OF HEALTH.

I have been asked by a large number of the most eminent men of the medical profession of this State to call your attention to the importance of providing by law for the establishment of a State Board of Health. For the present the cost need not be considerable, perhaps not exceeding one thousand dollars per annum, whilst the benefits may be made very great. The object of such a board would be to make intelligent inquiry into the causes affecting the health of the people in the different localities of the State, and to collect and utilize information on that subject; and to collect, arrange and preserve statistical information, in relation to the effects of particular employments, conditions, habits, circumstances and local influences upon the general health. Many of the States have established such boards, and with good results. The legislation in the State of Michigan, and the reports made by the board of that

State give satisfactory information, in relation both to the plan and the advantages of the organization. I ask your attention to that subject.

INSURANCE.

In September, 1875, and again in September, 1876, I appointed John A. Finch, Esq., as special commissioner to represent this State in the National Convention of Insurance Commissioners. He accepted the appointment without any compensation from the State and I am gratified to be able to say that he occupied a conspicuous position in both conventions. The people of this State are specially interested in such legislative measures as will make them more secure under their policies. The extent of their interest is shown in the fact that during the two years from July 1, 1874 to July 1, 1876, the premiums paid to companies outside this State amounted to \$6,010,956.89, a sum exceeding three dollars for every person in the State; and that the sums received from the same companies during that period upon their policies amounted to \$3,079,917.68. In the convention Mr. Finch gave special attention to the proposition that insurance policies should be made more reliable and valuable to the insured; and I ask your attention to his report as an intelligent examination of the questions and your consideration of the legislative measures which he recommends.

The business in the Supreme Court has so increased that it is impossible for the judges to meet the constitutional requirements that justice shall be administered "speedily and without delay." The enormous labor performed by the Judges is shown in the fact that the decisions made during the past six years fill twenty volumes of the Reports. The first twenty volumes of the Reports cover a period of forty-three years. If a remedy can be provided, it should be done. The long delay of justice is often worse than its denial. I think the Court might provide a remedy in part by a modification of its rules so as to strip the legal questions of the voluminous records of facts. In many cases, perhaps in most cases, it would be quite sufficient if the record presented the questions of law that arose on the trials and the ruling of the Court thereon, with a statement that the evidence made the same material. Such a provision by law, or by rule of court, would greatly relieve the Court. I ask your attention to this subject.

I herewith report all cases of reprieve, commutation and pardon which I have granted during the past two years, and all cases of

finer and forfeitures which I have remitted, with a statement of the facts and considerations which have governed me in each case. The increase in the number of prisoners has increased the number to whom it was my duty to extend executive clemency.

In my message two years ago it was my duty to refer to the invasion by military force of free representative government in the State of Louisiana. I asked your predecessors "to protest against and denounce the usurpation as a crime to be detested and not a precedent to be respected." An outraged public opinion compelled a partial correction of that wrong. It is my duty now to refer to a similar outrage in the State of South Carolina. Although it was the constitutional right of each branch of the legislature of that State, without hindrance, to meet and to judge of the qualifications and election of its own members, yet, in the recent attempted organization of the legislature, members were required to enter the State House between armed men, and were admitted or refused at the pleasure of those who had no legal right or authority to interfere, but who were supported by the troops of the United States. Members duly chosen were refused admission, whilst others not members were admitted. Not even the pretext of domestic violence can be urged as an apology for the outrage. It was the attempted overthrow of civil authority by military power and an unmitigated wrong against the people of that State and of the whole country. Accompanying that transaction and forming a part of it was the interposition by a federal judge, supported by the military, to overawe the State judiciary and defeat its judgments upon questions resting wholly upon local and State Law. The constitutional and independent authority of State courts and legislatures is endangered, if not now supported by a patriotic and liberty-loving sentiment so strong among the people that party and partisans dare not defy it.

During the four years of my administration, our State has not been wholly free from domestic troubles. The public peace on more than one occasion has been threatened. Strong bodies of men, moved by some real or supposed wrongs, have threatened to assert and vindicate their rights, wholly independent of the remedies and proceedings provided by law. In no instance has the authority and power of the United States been invoked against them. But in every instance have the people preserved the public peace and maintained the authority of the State and the supremacy of her laws.

A people so careful of their own institutions, and so capable of preserving them and maintaining the constitutional rights and prerogatives of their own State government, can not be indifferent when other States are threatened with overthrow, or the destruction of rights and privileges, without which no free State can exist.

In the summer of 1875, disastrous and unprecedented floods destroyed property in our State of immense value, and left behind them causes of very general sickness. These calamities seriously checked our prosperity, but nature has returned to her ordinary habits; the people are again blessed with general health and with encouraging crops. For these returning blessings we should thank Heaven, and invoke the continuance of a kind providence.

I trust that your proceedings will be harmonious, and that the laws you may enact will prove a blessing to the people whom you represent.

THOMAS A. HENDRICKS,

Governor of Indiana.

EXECUTIVE DEPARTMENT, January 4, 1877.

The reading of the Governor's message being finished, Lieutenant-Governor Sexton declared the joint convention adjourned *sine die*, and ordered that the Senate return to its Chamber.

On motion of Mr. Crumpacker, the House adjourned until 2 o'clock P. M.

AFTERNOON SESSION,

JANUARY 5, 1877.

The House met, with the Speaker in the chair.

The Speaker laid before the House the following communication from His Excellency, the Governor:

The Honorable, the Speaker of the House of Representatives:

SIR—Samuel R. Downey is authorized to make executive communications to the House of Representatives.

THOMAS A. HENDRICKS,

Governor.

EXECUTIVE DEPARTMENT, January 5, 1877.

The Speaker also laid before the House the following communication from the Governor: .

HON. JOHN OVERMYER,

Speaker of the House of Representatives:

SIR—Governor and Mrs. Hendricks will be happy to see the members and officers of the House of Representatives and Senate, with their families, at eight o'clock this evening, at their residence, 407 North Tennessee street.

Very respectfully,

SAMUEL R. DOWNEY,

Private Secretary.

The Speaker laid before the House a petition of citizens of Vanderburgh county touching certain boundary lines between the States of Indiana and Kentucky, it having been transmitted to the House by the Governor, through his Private Secretary.

The petition was read and laid upon the table for future reference.

Mr. Lanham moved that the House go into committee of the whole for consideration of the Governor's message.

Which was agreed to, and Hon. George W. Grubbs called to the chair.

The committee rose, the Speaker resumed the chair, and Mr. Grubbs presented the following report:

MR. SPEAKER:

I have the honor to report that the committee of the whole House has been in session, has had under consideration the annual message of His Excellency, the Governor, delivered in this House to-day, and has taken action thereon by referring the various subjects discussed, and recommendations thereon made to the appropriate committees of this House, as follows:

That so much of the Governor's message that refers to Federal affairs be referred to committee on Federal relations.

So much as refers to finance and taxation be referred to committee on ways and means.

So much as referred to survey of Green Island be referred to committee on judiciary.

So much as refers to the benevolent institutions of the State be referred to committee on benevolent institutions.

So much as refers to State prisons be referred to committee on prisons.

So much as refers to elections to committee on elections.

So much as refers to the organization of courts to committee on organization of courts.

So much as refers to agriculture to committee on agriculture.

So much as refers to public buildings be referred to committee on public buildings.

So much as refers to insurance be referred to committee on insurance.

So much as refers to domestic affairs of the State be referred to committee on rights and privileges.

So much as refers to fees and salaries be referred to committee on fees and salaries.

So much as refers to reformatory institutions be referred to committee on reformatory institutions.

So much as refers to horticulture to be referred committee on agriculture.

So much as refers to appropriation to State Board be referred to committee on ways and means.

So much as refers to State House be referred to committee on public buildings.

So much as refers to Board of health be referred to the House.

So much as refers to statistics be referred to committee on statistics.

So much as refers to normal schools be referred to committee on education.

So much as refers to public expenditures be referred to committee on public expenditures.

Which report was concurred in.

Mr. Leeper offered the following resolution :

Resolved, That three thousand copies of the Governor's message just read to the General Assembly, be printed in English, and fifteen hundred copies in German, and that fifteen copies of the same be furnished each member of this House, ten in English and five in German.

Mr. Craft offered the following as a substitute for the foregoing resolution :

Resolved, That, the Senate concurring, three thousand copies of the Governor's message be printed ; two thousand in English, and

one thousand in German, ten copies of which shall be presented to each member.

And such substitute was adopted by the House.

Leave of absence until Monday was granted to Mr. Grubbs of Morgan.

Mr. Adams moved a reconsideration of the vote by which the Doorkeeper was instructed to procure the Revised Statutes from the Librarian and Secretary of State.

Which was agreed to, and Mr. Adams thereupon offered the following resolution as a substitute :

Resolved, That the Doorkeeper be and he is hereby directed to procure at lowest possible price a copy of the latest Davis' Revised Statutes of 1876, of the State of Indiana, for the use of the members of the House, and to be charged up to each member, and in case they be returned to the Secretary of State at expiration of the session the members shall receive credit therefor.

And such substitue was adopted by the House.

On motion by Mr. Johnson, the House adjourned till 9 o'clock to-morrow morning.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING,

JANUARY 6, 1877.

The House met at 9 o'clock, with the Speaker in the chair.

The Journal of yesterday's proceedings was read and approved.

Mr. Henderson introduced the following resolution :

Resolved by the House of Representatives, the Senate concurring therein, That the Doorkeeper of the House be instructed to procure eight hundred tickets of admission to such hall as may be procured for the holding of the ceremonies attending the inauguration of the Governor and Lieutenant-Governor elect, on Jannary, the 8th inst., and that said tickets be distributed as follows: To each Senator and Representative five tickets ; to the Lieutenant-Governor and Speaker of the House, ten tickets each, and to the Principal Secretary, Assistant Secretary and Doorkeeper of the Senate, five tickets

each; and to the Principal Clerk, Assistant Clerk and Doorkeeper of the House, five tickets each, and that said tickets be distributed upon Monday morning next.

Mr. Kennedy of Rush moved that the resolution be laid upon the table.

Upon which motion Messrs. Henderson and Carlton demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Branyan, Bumgarner, Butler, Carr, Claypool, Collins, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Hall, Highway, Kennedy of Rush, Koontz, Little, Lockhart, Marsh, Merriman, Moorman, McGaughey, Peelle, Reno, Riley, Thompson of Elkhart, Welborn, Whitehead, Yaryan, Zering and Mr. Speaker—32.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Askren, Baxter, Benz, Carey, Carlton, Carson, Chawner, Coffman, Cole, Compton, Conley, Cook, Cooley, Crumpacker, Davis, Foster of Allen, Freeman, Garver, Girton, Gossman, Guthrie, Harris, Haughton, Hauss, Henderson, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Lehman, Madden, Mathews, Morgan, Morrison, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Wells, Warrum and Zimmerman—61.

So the resolution was not laid upon the table.

And the question recurring upon the adoption of the resolution,

Mr. Branyan offered the following as a substitute for the original resolution:

Resolved, 'That the Doorkeeper and committee of arrangements furnish each member and each officer of this House one ticket to the hall where the Governor is to be inaugurated on Monday, and no more.

Mr. Lehman moved to lay the substitute upon the table.

Which was agreed to.

The question again recurring upon the passage of the resolution, Mr. Branyan moved the previous question, which was seconded, and the main question ordered by consent.

The ayes and noes being called for by Messrs. Thompson of Elkhart and Garver,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Carey, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins,

Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Harris, Haughton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kimmell, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thomson of Howard and Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Zering and Zimmerman—82.

Those who voted in the negative were Messrs. Butler, Carr, Elwell, Hall, Kennedy of Rush, Kennedy of Union, Koontz, Little, Marsh, Priest, Reno, Thompson of Elkhart, Yaryan and Mr. Speaker—14.

So the resolution was adopted.

Mr. Oglebay offered the following resolution :

Resolved, That so much of the Governor's message as referred to a State Board of Health be referred to a special committee of five. Which was adopted.

Mr. Adams offered the following resolution :

Resolved, That that portion of the Governor's message that refers to the change in time of holding the election, and the several amendments to the election laws in the shape of proposed amendments to the Constitution of the State, be referred to a joint committee of five, composed of three members of the House of Representatives, and two members of the Senate; and all proposed amendments to the Constitution, and resolutions relating thereto, shall be referred to such joint committee.

Which was adopted.

The following message was received from the Senate, by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following engrossed bills thereof, to-wit :

Engrossed Senate Bill No. 1. An act appropriating one hundred and twenty-five thousand dollars to defray the expenses of the Fiftieth General Assembly, and other matters connected therewith.

Mr. Kennedy of Rush offered the following resolution :

In order that the Speaker may have time to complete the list of standing committees and thereby facilitate business, it is hereby

moved that when the House adjourn it shall stand adjourned until 2 o'clock Monday.

Which was adopted.

Mr. McGaughey introduced the following resolution :

Resolved, That the resolution of the Senate for a joint committee of the two Houses on to-day at 11 o'clock A. M. be adopted; that the Clerk inform the Senate thereof, and that a committee be appointed by the Speaker to wait upon the Senate and escort the Senate to the Hall of the House at 11 o'clock A. M. to-day.

Which was adopted, and the Speaker appointed as such committee upon the part of the House, Messrs. McGaughey, Mathews and Lane.

Mr. Oglebay introduced the following resolution :

Resolved, That the Principal Clerk be instructed and requested hereafter to furnish each member of the House, daily, with a printed calendar of all pending bills, stating by whom introduced, with the exact title of the same.

Which, on motion of Mr. Thompson of Elkhart, was laid upon the table.

Mr. Lanham introduced the following resolution :

Resolved, That the Doorkeeper be instructed to obtain one hundred copies of the rules adopted for the government of the House, as soon as the same shall be printed, and to furnish one copy of said rules to each member of this House.

Which was adopted.

Mr. Thomas introduced the following resolution, which was adopted :

Resolved, That the Principal Clerk of this House be authorized to rent suitable furnished rooms for his Enrolling and Engrossing Clerks, the same not to exceed in cost over \$75 for the session.

The following message was received from the Senate :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has concurred in the House resolution providing that three thousand copies of the Governor's message be printed, two thousand in English and one thousand in German, ten copies of which shall be presented to each member.

Also, that the Senate has concurred in the House resolution appointing a committee of three to act in conjunction with a similar committee of the Senate, to make all necessary arrangements for

the inauguration of Governor Williams in Masonic Hall on Monday January 8th, and that the President has appointed on such committee on the part of the Senate, Messrs. Bell of Allen, Hackleman of Wabash, and Streight of Marion.

Mr. Lanham introduced Joint Resolution No. 3, entitled "Joint Resolution to amend article 2 section 2 of the Constitution of the State.

Which was read the first time.

Mr. Carlton introduced House Bill No. 19. An act to amend sections 5 and 6 of "An act to regulate and license the sale of spirituous, vinous and malt, and other intoxicating liquors, to limit the license fee to be charged by cities and towns; prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with this act; prescribing penalties for violation thereof, and declaring an emergency;" approved March 17th, 1875. This amendatory act reducing the license fees required by said act, and declaring an emergency for the immediate taking effect of this act from and after its passage.

Which was read a first time.

Mr. Ashby introduced House Bill No. 20. A bill to make the silver dollar, half dollar and quarter dollar a legal tender for all debts, public and private within the State, and declaring an emergency.

Which was read the first time.

Mr. Austin introduced House Bill No. 21. A bill authorizing the assessment of all lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized or gravel road organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "An act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, when the subscription to such road amounts to at least five hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessments: *Provided*, The lands are situated within the county in which such road is located.

Which was read the first time.

Mr. Langdon introduced House Bill No. 22. A bill to provide

for taking the sense of the qualified voters of the State on the calling of a convention to alter, amend, or revise the Constitution of the State.

Which was read first time.

Mr. Copeland introduced House Bill No. 23. A bill to amend section 27 of an act entitled 'an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, and prohibiting the violation of its provisions and repealing certain laws,' approved March 12, 1875.

Mr. Branyan introduced House Bill No. 24. A bill to amend section 1 of an act entitled 'An act declaring agreements to pay attorney's fees contained in any fee, bill of exchange, acceptance, draft, promissory note, or other written evidence of indebtedness, illegal and void, and declaring an emergency,' approved March 10, 1875, and declaring an emergency.

Which was read a first time.

Mr. Marsh introduced House Bill No. 25. A bill to amend sections 3, 4 and 6 of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations, and repealing the laws on that subject," approved March 5, 1857, and March 7, 1873, and legalizing all such associations now in existence, approved March 11, 1875.

Which was read the first time.

The hour having arrived for the joint session to count the vote for Governor and Lieutenant-Governor, Mr. McGaughey, from the special committee, made the following report:

MR. SPEAKER:

Your committee appointed to wait upon the Senate and conduct them to the House, to be present during the canvass of vote for Governor and Lieutenant-Governor, respectfully report they have discharged that duty.

And the Senate appeared and were seated upon the right.

Lieutenant-Governor Sexton presiding, announced the purpose of the joint Convention to be to witness the count, by the Speaker, of the vote of the State for Governor and Lieutenant-Governor, at the election held October 10, 1876.

The Speaker of the House then proceeded to perform that duty, the File Clerks of the Senate and House acting as tellers.

The following was the ascertained and approved result of the count:

COUNTIES.	For Governor.			For Lieut.-Governor		
	James D. Williams.	Benjamin Harrison.	Henry W. Harrington.	Isaac P. Gray.	Richard S. Robertson.	Richard Gregg.
Adams.....	1983	794	.....	1977	798	.....
Allen.....	7508	4067	.....	7489	4071	.....
Bartholomew.....	2818	2349	152	2810	2307	203
Benton.....	1179	1261	97	1163	1256	119
Blackford.....	842	632	191	839	629	199
Boone.....	2405	2685	967	2356	2637	1071
Brown.....	1231	497	188	1229	491	219
Carroll.....	2283	2065	.....	2253	2070	28
Cass.....	3515	3060	46	3488	3061	77
Clark.....	3235	2446	.....	3251	2425	.....
Clay.....	2582	2396	364	2540	2388	414
Clinton.....	2624	2300	178	2621	2281	257
Crawford.....	1228	1069	.....	1226	1068	.....
Daviess.....	2441	2071	7	2427	2066	27
Dearborn.....	3438	2104	6	3437	2090	13
Decatur.....	2412	2475	2	2412	2471	4
DeKalb.....	2597	2400	13	2592	2406	19
Delaware.....	1664	3024	213	1625	3010	266
Dubois.....	2364	711	.....	2359	712	.....
Elkhart.....	3410	3679	23	3412	3674	25
Fayette.....	1301	1600	.....	1300	1597	1
Floyd.....	2857	1819	206	2853	1766	246
Fountain.....	2061	2082	502	2028	2054	503
Franklin.....	2992	1596	.....	2999	1591	.....
Fulton.....	1724	1578	.....	1724	1582	.....
Gibson.....	2282	2286	84	2880	2277	105
Grant.....	2056	2694	267	1999	2665	345
Greene.....	2125	2234	257	2059	2193	416
Hamilton.....	1782	3134	375	1717	3132	458
Hancock.....	2104	1569	94	2098	1550	122
Harrison.....	2421	1741	25	2426	1731	30
Hendricks.....	1872	2896	351	1862	2859	386
Henry.....	1881	2663	80	1892	2636	92
Howard.....	1744	2772	106	1702	2765	159
Huntington.....	2520	2459	15	2508	2468	18
Jackson.....	2737	1736	30	2712	1607	199
Jasper.....	722	1219	136	713	1204	158
Jay.....	1844	1913	133	1812	1872	231
Jefferson.....	2772	3082	103	2758	3069	133
Jennings.....	1778	1974	7	1781	1973	8
Johnson.....	2361	1831	344	2331	1806	400
Knox.....	3132	2424	.....	3140	2403	12
Kosciusko.....	2686	3264	1	2696	3257	1
Lagrange.....	1205	2085	64	1203	2084	77
Lake.....	1274	1913	.....	1272	1915	14
Laporte.....	3668	3387	52	3716	3337	63
Lawrence.....	1674	1934	114	1655	1913	157
Madison.....	3413	2557	91	3401	2536	113

COUNTIES.	For Governor.			For Lieut.-Governor		
	James D. Williams.	Benjamin Harrison.	Henry W. Harrington.	Isaac P. Gray.	Richard S. Robertson.	Richard Gregg.
Marion	11350	12915	675	11352	12758	792
Marshall.....	2805	2207	1	2782	2230	.....
Martin	1638	1159	.....	1634	1161	.....
Miami.....	2944	2714	41	2944	2704	51
Monroe	1559	1677	5	1560	1650	220
Montgomery.....	3189	3056	340	3145	3008	430
Morgan.....	1905	2121	229	1903	2097	261
Newton.....	764	1092	52	760	1083	67
Noble.....	2656	2619	34	2631	2617	68
Ohio.....	558	610	55	558	604	63
Orange.....	1620	1366	1	1616	1367	5
Owen.....	1911	1391	147	1884	1377	168
Parke	1855	2471	303	1847	2460	342
Perry.....	1758	1333	56	1749	1323	93
Pike.....	1609	1394	177	1578	1391	219
Porter	1630	2099	.....	1620	2108	.....
Posey.....	2364	1753	.....	2361	1739	8
Pulaski.....	1221	927	.....	1223	923	.....
Putnam	2805	2265	209	2806	2239	242
Randolph.....	1995	3861	42	1997	3820	63
Ripley	2370	2145	16	2375	2132	17
Rush	2204	2492	2	2213	2478	3
Scott	1063	767	5	1065	768	7
Shelby.....	3176	2387	76	3187	2360	93
Spencer	2475	2123	122	2449	2119	153
Starke	599	483	.....	599	483	2
St. Joseph.....	3524	3521	36	3531	3513	38
Steuben	796	2167	444	769	2145	495
Sullivan.....	2892	1499	99	2879	1490	121
Switzerland	1388	1499	157	1373	1506	166
Tippecanoe	3982	4201	152	3974	4204	163
Tipton.....	1753	1435	114	1730	1432	139
Union.....	799	1035	12	801	1031	12
Vanderburgh.....	3933	4038	438	3871	3978	517
Vermilion.....	1032	1375	232	1023	1364	251
Vigo.....	3673	3425	1923	3541	3358	2120
Wabash.....	2311	3496	2	2300	3500	5
Warren.....	701	1649	273	672	1625	327
Warrick.....	2260	1845	.....	2258	1828	62
Washington	2344	1637	.....	2342	1644	.....
Wayne.....	3162	5532	218	3138	5505	261
Wells.....	2307	1477	28	2307	1467	50
White.....	1496	1639	53	1496	1633	58
Whitley.....	2096	1647	44	2090	1666	48
Totals.....	213219	208080	12710	212076	206641	15388
Majorities.....	5139			5435		

Pending the count Lieutenant-Governor Sexton retired from the chair, having first called Mr. Bell, the Senator from Allen, to act as President *pro tem.* in his stead.

The count having been finished, the President of the Senate *pro tem.* announced the following as the result of the vote for Governor:

For Governor—James D. Williams received 213,219 votes; Benjamin Harrison received 208,080 votes; Henry W. Harrington received 12,710 votes.

The President of the Senate *pro tem.* then proclaimed that James D. Williams, having received the highest number of votes cast at the October election, 1876, is therefore the duly and legally elected Governor of the State of Indiana for the term of four years from and after the 8th day of January, 1877.

The President of the Senate *pro tem.* further announced that the count of the vote for Lieutenant-Governor showed the following result:

For Lieutenant-Governor—Isaac P. Gray received 212,076 votes; Robert S. Robertson received 206,641 votes; Richard Gregg received 15,388 votes.

The President of the Senate *pro tem.* then proclaimed that Isaac P. Gray having received the highest number of votes cast at the October election, 1876, is therefore the duly and legally elected Lieutenant-Governor of the State of Indiana for the term of four years from and after the 8th day of January, A. D. 1877.

Mr. Oglebay introduced the following resolution:

WHEREAS, The day designated by the Constitution of the State for the inauguration of the Governor is rapidly approaching; and,

WHEREAS, The result of the recent election for that high office, as just announced by the President of this joint convention, admonishes us that there will be a change in the executive office of the State; and,

WHEREAS, The present executive officer has nearly completed his appointed record as such officer, and the same is now a part of the history of the State, and a proper subject for comment by his fellow-citizens. Therefore,

Resolved by the Senate and House of Representatives in Joint Convention assembled, That we recognize the patriotism, integrity,

ability and efficiency of His Excellency, Hon. Thomas A. Hendricks.

Resolved, That we point with pride to his administration of the executive office of this State, as characterized by distinguished ability, and as one that will take rank as one of the brightest in the history of the State.

Resolved, That His Excellency, in his retirement from the chief executive office of this State, will take with him the thanks and the gratitude of the people for his positive acts, and the good wishes and good will of the people, without distinction of party, for his future welfare and prosperity.

Which was unanimously adopted.

The President of the Senate *pro tem.* then declared the business of the joint convention concluded, and the convention adjourned *sine die*.

The Senate then retired to its chamber.

Mr. Lanham moved that the vote by which the House had this morning resolved that its afternoon adjournment should be to 2 o'clock P. M. Monday, be now reconsidered.

Which was agreed to.

And the question being on the adoption of the resolution,

Mr. Craft moved to amend the resolution by striking out "2 o'clock P. M." and inserting in lieu thereof the words "ten o'clock A. M."

Which was agreed to, and the resolution as amended, was adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed to inform the House that the Senate has adopted the following resolution, to-wit :

Resolved by the Senate, the House concurring, That the two Houses of the General Assembly meet at Masonic Hall on Monday, January 8, at 11 o'clock A. M., for the purpose of inaugurating Hon. James D. Williams as Governor, and Hon. Isaac P. Gray as Lieutenant-Governor.

The resolution contained in the foregoing message was concurred in by the House.

Mr. Collins introduced the following resolution :

Resolved, That the Doorkeeper be and is hereby ordered to procure from the Secretary of State and lay upon the desk of each member one hundred General Assembly letter-heads and ten blotting pads, being a portion of stationery already paid for by last General Assembly.

Mr. Branyan moved to lay the resolution upon the table.

Which was not agreed to.

And the question being upon the adoption of the resolution.

The ayes and noes were demanded by Messrs. Lehman and Branyan.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Baxter, Butler, Carey, Carlton, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Girton, Gossman, Guthrie, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Johnson of Carroll, Kimmell, Koontz, Langdon, Lanham, Leeper, Lockhart, Madden, Marsh, Mathews, Moorman, Morrison, McCarty, McGaughey, Peelle, Priest, Rea, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Welborn, Whitehead, Wells, Warrum and Mr. Speaker—63.

Those who voted in the negative were Messrs. Ashby, Austin, Branyan, Bumgarner, Coffman, Crumpacker, Elwell, Foster of Allen, Fromm, Garver, Hall, Hulet, Johnson of Dearborn, Kennedy, Lane, Lehman, Merriman, Morgan, Oglebay, Paige, Reno, Riley, Stewart, Thompson of Elkhart, Thomson of Howard and Miami, Viehe, Yaryan, Zering and Zimmerman—29.

So the resolution was adopted.

The following message was received from the Senate :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the House resolution providing for issue and distribution of tickets to the inaugural ceremonies in Masonic Hall.

The Speaker announced the appointment of the following named Pages: Frank Wagner, Thomas A. Scott.

On motion of Mr. Craft, the House adjourned until 10 o'clock Monday morning.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY MORNING,

JANUARY 8, 1877.

The House met at 9 o'clock, with the Speaker in the chair.

The Journal of Saturday's proceedings was read and on the suggestion of the Speaker, it was ordered that the Journal be changed so as to show that James D. Williams had received the highest number of votes cast for Governor and Isaac P. Gray the highest number of votes cast for Lieutenant-Governor, instead of a majority of the votes cast, as it now reads.

And after being so changed the Journal was approved.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed, by unanimous vote, the following concurrent resolution :

Be it resolved by the Senate, the House of Representatives concurring, That the joint committee to secure a hall for the inauguration ceremonies be instructed to surrender Masonic Hall and secure the Academy of Music, and that notice be given of such change. That the tickets already issued shall be received for admission to the latter place, and that seats be reserved to the number of tickets issued.

The Speaker announced to the House the following standing committees :

1. *On Elections.*

Messrs. Lanham, Smith, Harper, Freeman, Cook, Hulet and Coffman.

2. *On Ways and Means.*

Messrs. Yaryan, Adams, Morgan, Kennedy of Rush, Warrum, Leeper and Welborn.

3. *On Judiciary.*

Messrs. Grubbs, Garver, Langdon, Baxter, Carlton, Viehe and Marsh.

4. *On Organization of Courts of Justice.*

Messrs. Garver, Yaryan, Peelle, Cole, Compton, Collins and Branyan.

5. *On Banks.*

Messrs. Copeland, Guthrie, Elwell, Lockhart, Foster of Allen, Welborn and Henderson.

6. *On Education.*

Messrs. Langdon, Foster of Monroe, Chawner, Bumgarner, Johnson of Carroll, Houghton and Mathews.

7. *On Affairs of the Prisons.*

Messrs. Scott, Sailors, Harris, Morrison, Davis, Oglebay and Cooley.

8. *On Swamp Lands.*

Messrs. Crumpacker, Harper, Highway, Ames, Davis, Hosmer and Merriman.

9. *On Military Affairs.*

Messrs. Wells, Carey, Scott, Endsley, McCarty, Lehman and Hatfield.

10. *On Claims.*

Messrs. Craft, Swayzee, Guthrie, Lanham, Rea, Johnson of Dearborn and Marsh.

11. *On Trust Funds.*

Messrs. Swayzee, Highway, Lockhart, Wells, Hauss, Perigo and Madden.

12. *On Fees and Salaries.*

Messrs. Hubbard, Thompson of Elkhart, Thomas, Kennedy of Rush, Leeper, Hauss and Collins.

13. *On Sinking Fund.*

Messrs. Thomas, Thompson of Howard, Copeland, Moorman, Girton, Cooley and Benz.

14. *On Rights and Privileges of the Inhabitants of the State.*

Messrs. Morgan, Foster of Monroe, Morrison, Carson, Compton, Ashby and Paige.

15. *On Railroads.*

Messrs. Hall, Garver, Grubbs, Whitehead, Compton, Oglebay and Foster of Allen.

16. *On Manufactures and Commerce.*

Messrs. Dannettell, Scott, Zimmerman, Thomson of Howard and Miami, Reno, Austin and Hatfield.

17. *On County and Township Business.*

Messrs. Little, Koontz, Kimmell, Crumpacker, Askren, Rea and Gossman.

18. *On Agriculture.*

Messrs. Thompson, of Elkhart, Crumpacker, Kimmell, Thomas, Johnson of Dearborn, Rea and Conley.

19. *On Benevolent and Scientific Institutions.*

Messrs. Lane, Morgan, Chawner, Smith, Collins, Marsh and Mathews.

20. *On Temperance.*

Messrs. Moorman, Kennedy of Union, Dannettell, Endsley, Reno, Leeper and Priest.

21. *On Mileage and Accounts.*

Messrs. Carey, Kimmell, Riley, Whitehead, Claypool, Albert and Gossman.

22. *On Corporations.*

Messrs. Baxter, Peelle, Little, Carson, Viehe, Branyan and Zehring.

23. *On Canals.*

Messrs. Kennedy of Rush, Carey, Carson, Sailors, Coffman, Conley and Claypool.

24. *On Public Expenditures.*

Messrs. Highway, Elwell, Thompson of Howard, Butler, Reno, Priest and Johnson of Dearborn.

25. *On Federal Relations.*

Messrs. Thomson of Howard and Miami, Grubbs, Craft, Carr, Askren, Hulet and Merriman.

26. *On Affairs of the City of Indianapolis.*

Messrs. Morrison, Craft, McGaughey, Endsley, Oglebay, Austin and Spencer.

27. *On Cities and Towns.*

Messrs. Foster of Monroe, Zimmerman, Dannettell, McGaughey, Paige, Warrum and Austin.

28. *On Engrossed Bills.*

Messrs. Chawner, Baxter, Lane, Lanham, Johnson of Carroll, Stewart and Houghton.

29. *On Roads.*

Messrs. Koontz, Cole, Wells, Sailors, Mathews, Welborn and Gossman.

30. *On Statistics and Emigration.*

Messrs. Harper, Zimmerman, Hall, Riley, Fromm, Perigo and Madden.

31. *On Insurance Companies.*

Messrs. Peelle, Hubbard, Lockhart, Harris, Carlton, Henderson and Ashby.

32. *On Printing.*

Messrs. Smith, Highway, Ames, Carr, Lehman, McCarty and Zehring.

33. *On Reformatory Institutions.*

Messrs. Freeman, Swayzee, Guthrie, Butler, Askren, Stewart and Spencer.

34. *On Drains and Dykes.*

Messrs. Ames, Hall, Thompson of Howard, Sailors, Hosmer, Benz and Fromm.

Joint committees on the part of the House :

On Public Library.

Messrs. Kennedy of Union, Bumgarner and Cook.

On Public Buildings.

Messrs. Adams, Thompson of Howard and Miami, and Albert.

On Canal Funds.

Messrs. Harris, Elwell and Girton.

On Enrolled Bills.

Messrs. Carlton, Cole, Lane, Hubbard, McGaughey and Johnson of Carroll.

Mr. Peelle moved that members of the press be admitted to the hall where the inauguration ceremonies are to take place.

Mr. Carson moved, as an amendment to the motion, that members of the press be furnished with tickets.

Mr. Ashby moved to amend the amendment so as to admit members of the press, either with or without tickets.

Which was not agreed to.

The question recurring on Mr. Carson's amendment to the motion, it was agreed to, and the motion as amended adopted.

Mr. Adams moved to take up the Senate message and concurrent resolution in reference to changing the inauguration ceremonies from Masonic Hall to the Academy of Music.

Which was agreed to, and the resolution taken up and concurred in.

Hon. A. J. Hatfield, the Representative from the county of Perry, being for the first time present, came forward, was sworn into office by the Speaker, and took his seat.

Mr. Foster, of Monroe, from the joint committee on arrangement of inauguration ceremonies, submitted the following report :

MR. SPEAKER :

The committee, to whom was referred the arrangements for the inauguration, respectfully report that the ceremonies will take place at the Academy of Music at 11 o'clock ; that Rev. Warren F. Randolph, D. D., of the First Baptist Church of Indianapolis, will act as Chaplain ; that Judge W. E. Niblack, of the Supreme Court,

will administer the oath of office to the Governor and the Lieutenant-Governor elect; that Senators will have seats reserved for them on the platform, with the members of the Supreme Court and State officers; that the House of Representatives will be seated immediately in front of the platform; that the Senate and House will form in procession at the State House, and from thence proceed to the Governor's rooms, and escort the Governor and Lieutenant-Governor elect to the Academy of Music; that the New Albany Silver Band have kindly volunteered their services to furnish music for the occasion, and the committee have accepted their services.

R. C. FOSTER.

E. B. COLLINS.

JNO. McGAUGHEY.

R. C. BELL.

E. HACKLEMAN.

A. D. STREIGHT.

Committee.

Which report was concurred in.

Mr. Carlton moved the appointment of a committee of five members to act with a like committee on the part of the Senate to wait upon the Governor and Lieutenant-Governor elect and inform them that the General Assembly would meet at the Academy of Music at 11 o'clock A. M. for the purpose of participating in the inauguration ceremonies.

Which was agreed to, and the Speaker appointed Messrs. Carlton, Viehe, Oglebay, Garver and Yaryan as such committee on the part of the House.

Mr. Scott moved that when the House adjourn it shall be until 9 o'clock to-morrow morning.

Which was agreed to.

Mr. Elwell and Mr. Kennedy of Rush were granted leave of absence until Wednesday.

The Speaker appointed the Doorkeeper of the House marshal of the inauguration ceremonies.

The following message was received from the Senate by Mr. Buchanan, its Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the House concurrent resolution

for the appointment of a committee to inform the Governor and Lieutenant-Governor elect, that the two Houses are now ready to proceed with the inaugural ceremonies, and that the President has appointed on such committee on the part of the Senate, Messrs. Wilson, Sarnighausen, Peed, Underwood and Cadwallader.

On motion of Mr. Lane, the House adjourned.

The hour having arrived, the two Houses of the General Assembly, in accordance with the previous concurrent agreement, met in the Academy of Music for the purpose of witnessing the inauguration of the Governor and Lieutenant Governor elect.

Lieutenant-Governor Sexton presiding.

Prayer was offered by the Rev. Dr. Randolph.

The oath of office was then administered to James D. Williams, Governor elect, by Judge Wm. E. Niblack, of the Supreme Court of the State of Indiana, and his Excellency, Governor Williams, then delivered the following

INAUGURAL ADDRESS.

Gentlemen of the Senate and House of Representatives :

I have no words at my command with which to express my thanks for the proof of confidence with which I have been honored in placing me in the highest position in the gift of the people of our beloved State.

The regular message enjoined by the constitution having already been submitted to the present Legislature by my predecessor, it is at this time inappropriate for me to submit specific recommendations. As the powers delegated to the Executive are calculated to affect interests of vital importance to the whole people, I may be permitted to give a brief view of some general principles which, in my judgment, lie at the foundation of our prosperity and should regulate the administration of our public affairs.

Our State, in common with the rest of the Union and especially of the Western portion, is experiencing the distress and embarrassment consequent upon a system of over-trading and deceptive speculation. Our consumption having exceeded our income, the balance must be restored by a corresponding excess of our receipts over our expenses. We have been lured to the embrace of Debt under the flattering guise of Credit and we can be extricated only by the joint aid of Industry and Economy. We should again seek

the ancient land-marks of frugality and republican simplicity from which too many have unwittingly strayed. Labor is the prime source of wealth in a State. No community can prosper without it. Commerce, the business of which is only to exchange the products of the industry of one place for those of another, highly advantageous as it is to a community, can not exist without the life-sustaining breath of labor. It is gratifying to see from recent indications that this opinion is gaining ground in unexpected quarters. This should serve as an encouragement to the advocate of truth under adverse circumstances, proving, as it does, that sooner or later her right will be vindicated and her supremacy acknowledged. Our position, soil and climate, as well as the habits of our people, all point to that branch of labor which is devoted to agriculture as our chief reliance for lasting wealth and returning prosperity. This calling should rank with us first in respectability, as it unquestionably is first in importance. The principal and indeed almost the only assistance, which can be rendered to this vital interest, the removal of indirect impositions, the more dangerous and oppressive because unseen and stealthy in their operation, is beyond the reach of State legislation. It is to be regretted that a growing distaste exists in too many quarters against this nursery of virtue, this surest guaranty of comfort and independence, this sheet anchor of our common prosperity, as exhibited in the increasing numbers of our youth who are crowding the other professions to seek a livelihood on the accidents of human life.

✓ The true principles of economy in the administration of public affairs are essentially the same as those which obtain in individual transactions. No expenditures should be incurred for official services or otherwise unless found necessary or useful, and then at the lowest amount compatible with full and intrinsic value and ample ability of performance. Tested by this rule, all unnecessary offices, if any are found to exist, should be abolished. Public officers should be held to the strictest accountability. Excessive legislation is an evil. The increased burden thereby imposed upon the treasury is but one of the evils growing out of it. The laws by frequent changes become complex, vague and uncertain. This unfits them in a great measure for being a known and safe rule of action in a community. It is of the greatest importance to the welfare of the people that the laws should generally be known and well understood. For this purpose they should be maturely considered in

their inception and be fully tested by time and experience. This would tend greatly to insure harmony and certainty in their execution and check a fruitful source of litigation, which tends to foment evil passions, to excite social discord and operates as a heavy tax on the community.

Cheap transportation is a subject of great importance to the producing classes. Especially the local rates charged on railroads are oppressive at all points except where there is competition. It would be well to give your earnest consideration.

I can not, on this occasion, suffer the subject of our common school system to pass without some notice. We have a fund equal, if not superior to that of any other State in the Union. See that it is managed in the interest of the rising generation.

You should guard the right of suffrage and shield this inestimable privilege against all encroachments, whether exhibited in the shape of fraud, illegal voting, or lawless violence. Vain, indeed, is the establishment of our free government, if such abuses are suffered to exist. The ballot box would, in that case, cease to reflect the will of the majority, which is the essential privilege of a republican government. Illegal voting and frauds in elections should be severely punished.

Article four, Section five, of the Constitution of the State, reads as follows: "The number of Senators and Representatives shall, at the session next following each period of making such enumeration, be fixed by law and apportioned among the several counties according to the number of white male inhabitants above twenty-one years of age in each." On the 16th day of December, 1872, a bill passed by a strict party vote, fixing the number of Senators and Representatives to the General Assembly for six years. The same became a law by the lapse of time, December 27, 1872. It failed to receive the approval of the then acting Governor, although he was a member of the dominant party. I would not recommend the passage of an entirely new law, but would recommend some amendments so as to do equal justice to all sections and injustice to none.

We have just passed through one of the most exciting and bitter campaigns I have ever witnessed. None have had more bitterness and unjustifiable scandal heaped upon their heads than myself. Notwithstanding all this, I shall be pleased to co-operate with you in any measure calculated to make us a united, prosperous and happy people.

JAMES D. WILLIAMS.

The oath of office was than administered by Judge Niblack to Isaac R. Gray, Lieutenant-Governor elect.

Lieutenant-Governor Gray addressed the joint convention as follows :

LIEUTENANT-GOVERNOR GRAY'S ADDRESS.

SENATORS :—By virtue of the office which the people of Indiana have so generously conferred upon me, it becomes my duty to preside over your deliberations. While I shall approach the discharge of the duties with diffidence and concern, yet it shall be my constant effort to so act in the discharge of the various duties of the office, that none will be able to charge me with partiality or prejudice.

Having had some experience as a presiding officer, I am not unaware of the difficulties surrounding my position, and therefore can not promise I will commit no errors ; that my rulings will always be in strict harmony with parliamentary law, but I do promise that whatever errors may be justly attributable to myself shall spring from ignorance or misguided judgment and not from improper motives. And I can not hope to successfully discharge the duties of the position without your kind co-operation, which I most earnestly request.

It is not one of the functions of my office to advise you of the affairs of State or give recommendations in regard thereto, but I presume it will not be out of place for me to congratulate you upon the prosperous condition of the State and its institutions, and to say that Indiana to-day in all things which constitute an American State, educational or otherwise, stands as one among the brightest stars in the grand national galaxy of the United States. The administration of State affairs for the past four years has been marked by such prudence, economy and intelligence that it has met with the approval of the people of the State, and has left its affairs in such excellent condition that the duties of the legislator of the present session, aided by the advice and recommendations of the Governor and State officers, will in my judgment, be easily performed.

It has been well said that there is not much danger of erring on the side of too little law ; the world is governed too much ; the danger rather lies in too much law making ; in the passage of illy digested and unnecessary laws not demanded by the wants of the people, and therefore neither enforced nor observed.

The ability and intelligence of a legislative body is not measured by the number of its enactments, but by the wisdom of them.

In looking forward to the work before us it will be well to remember that we are but the servants of the people, and therefore our duty is to serve them honestly and faithfully ; to give them wholesome, just and equal laws, and our undivided attention to the requirements of our positions. Every day a senator is absent from his seat his constituents are without voice or vote on the floor of the Senate. The places conferred upon us are not only positions of honor and distinction, but of responsibility and trust.

You are not only makers and repealers of the law, but guardians of the welfare of the people, the Constitution and the State. And if we desire those who are soon to succeed us on life's stage of action to be lovers of law and order, civil and religious liberty, defenders of the institutions which we must soon leave behind ; if we desire civilization, Christian conduct, intellectual culture, prosperity and patriotic devotion to country to be their leading characteristics, the means must be provided, the example must be given.

Senators, I am sorry that I can not congratulate you on the present outlook of national affairs. That this people are in the midst of a great national peril, is certainly obvious to all. The peril is so great, the interests at stake of such overwhelming magnitude, the trust in our hands so sacred, that the rage of party spirit should sleep. It now behooves every man whose heart beats in unison with the institutions under which we live, who has a soul that in thought ascends to Heaven, to divest himself of party prejudice, to raise himself to a higher and purer plain of political action and demand that the question that has thrown the nation into this throes of political excitement, shall be honestly investigated and impartially decided by the proper tribunal. It is the duty of every citizen, and every person clothed with the power of office, to observe the law as heretofore interpreted and understood. No one knows how soon he may need its own strong protecting arm for himself. Law is the only sure protection for the weak, the only efficient restraint upon the strong ; when faithfully and impartially administered none are beneath its protection, none above its control. In the absence of the observance and enforcement of the law, we will have anarchy, confusion, riot and military despotism. In its observance, peace, quietude and protection to person and property. Standing in the presence of my countrymen and countrywomen, speaking for myself, I can truly say that as I love my

country with all the glorious recollections that cling around its past, as I would have those who are to come after me realize the grand anticipations of its future greatness, as I would have my children enjoy the blessings of civil and religious liberty as I, myself, have enjoyed them thus far, I do hope and pray that He who holds the destiny of nations in His hand, may so direct the minds of our rulers that this cup will pass from our lips, and that the nation will come out of this peril, like gold that has passed through the crucible, purer and better than when it came upon us.

Senators: I trust that in all your deliberations you will not fail to extend to each other that kindness and courtesy due from man to his fellow at all times and in all places, and which should especially mark the conduct of members of deliberative and legislative bodies. I hope that your legislation will be characterized by wisdom and economy, and will add to the prosperity and happiness of the people and renown of the State, so that when your labors are ended, and you shall have gone to your several homes, it can be said of you, "Well done, good and faithful servant; you have proven true to the trust confided to your care."

Whereupon the presiding officer declared the joint convention adjourned *sine die*, and the adjournment of the Senate and House until the hours previously fixed by the respective branches of the General Assembly.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

TUESDAY MORNING,

JANUARY 9, 1871

The House met at 9 o'clock, with the Speaker in the chair.

The Journal of yesterday's proceedings was read and approved.

The Speaker presented the following executive communication:

The Honorable, the Speaker of the House of Representatives:

SIR.—The Governor respectfully transmits to the House of Representatives the accompanying communication from C. H.

Rockwell, Light-House Inspector, Fourteenth District, as requested by him.

SAMUEL R. DOWNEY,
Private Secretary.

OFFICE OF LIGHT-HOUSE INSPECTOR,
FOURTEENTH DISTRICT,
CINCINNATI, OHIO, December 6, 1875.

To the Honorable,

THOS. A. HENDRICKS,

Governor of the State of Indiana:

SIR.—I have the honor to inform you that under the provisions of an act of Congress approved June 23, 1874, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1875, and for other purposes," and of an act of Congress approved March 3, 1875, making appropriations for the same purposes for the fiscal year ending June 30, 1876, a number of Government signal lights and other aids to navigation have been established on the banks of the Ohio river, in the State of Indiana. These lights and other aids to navigation have, at certain points, been injured, and lanterns have been broken and lights been extinguished by malicious persons, thus endangering steamers and other vessels navigating the Ohio River.

I am therefore directed by the Light-House Board to request that the matter of protecting these lights and aids to navigation may be brought before the Legislatures of the several States interested, to the end that proper laws may be passed providing for their protection.

I have the honor to be,

Very respectfully, your obedient servant,

C. H. ROCKWELL,

Lieutenant U. S. Navy, L. H. Inspector, 14th Dist.

Mr. McGaughey offered the following resolution, which was adopted:

Resolved by the Senate the House of Representatives concurring herein, That the joint rules for conducting business in the two houses of the General Assembly of the State of Indiana, adopted at the Regular Session of 1873, be and are hereby adopted as such joint rules for the present session of this General Assembly.

The Speaker proceeded to call the roll of counties for the introduction of bills, resolutions, etc., whereupon the following bills were introduced :

Mr. Foster of Allen introduced House Bill No. 26. A bill to protect the citizens of the State of Indiana from empiricism and elevate the standing of the medical profession, requiring two full courses of instruction in some medical school, or a certificate from some State or county medical society, and prescribing a penalty for violation thereof.

Which was read a first time and passed to a second reading tomorrow.

Mr. Compton of Clay, introduced House Bill No. 27. A bill providing that deeds of conveyance shall contain an abstract of title to real estate therein described.

Which was read a first time and passed to a second reading tomorrow.

Mr. Koontz of Delaware and Jay introduced House Bill No. 28. A bill to amend section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for the violation thereof," approved February 22, 1871.

Which was read a first time and passed to a second reading tomorrow.

Mr. Gossman of Dubois introduced House Bill No. 29. A bill fixing the fees of witnesses before a justice of the peace, and declaring an emergency.

Which was read a first time and passed to a second reading tomorrow.

Mr. Warrum of Hancock, introduced House Bill No. 30. A bill providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases, and repealing all laws in conflict, and declaring an emergency.

Which was read a first time and passed to a second reading tomorrow.

Mr. Warrum of Hancock, introduced House Bill No. 31. A bill fixing a uniform rate of interest throughout the State of Indiana, and defining and affixing penalties for the violation or evasion or attempted evasion thereof.

Which was read a first time and passed to a second reading to-morrow.

Mr. Lane of Putnam introduced House Bill No. 32. A bill defining libel, providing a penalty therefor, repealing all laws conflicting herewith and declaring an emergency.

Which was read a first time and passed to a second reading to-morrow.

Mr. Branyan of Huntington introduced House Bill No. 33. A bill to amend section 7 of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations, and repealing the laws on that subject, approved March 5, 1857, approved March 7, 1873, and legalizing all such associations now in existence," approved March 11, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading to-morrow.

Mr. Cole, of Huntington, introduced House Bill No. 34. A bill authorizing boards of county commissioners to construct gravel, macadamized or paved roads, upon petition of a majority of resident land owners along and adjacent to the line of any road; authorizing them to issue bonds of the county to raise money required for that purpose, and provide for the payment of such bonds by taxing lands adjacent to the road; repealing all existing laws for the construction of gravel, macadamized or paved roads, and declaring an emergency.

Which was read a first time and passed to a second reading to-morrow.

Mr. Smith of Madison and Henry, introduced House Bill No. 35. A bill to amend sections 10, 64 and 70 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, and declaring an emergency."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lanham of Jefferson introduced House Bill No. 36. A bill to amend section 8 of an act entitled "An act to amend sections 102, 107, 108, 125 and 270, and to repeal section 276 of an act entitled 'an act to provide for a uniform assessment of property and for the collection and return of taxes thereon,' approved December

21, 1872, repealing all laws in conflict herewith, adding supplementary sections to said act, and declaring an emergency," approved February 11, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft of Marion introduced House Bill No. 37. A bill to amend section 8 of an act entitled "An act to repeal all general laws for the incorporation of cities, prescribing their powers and duties and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 14, 1867.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle of Marion introduced House Bill No. 38. A bill to amend sections 132 and 374 of the act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Grubbs of Morgan introduced House Bill No. 39. A bill to provide for the restoration and preservation of the records of the various counties and the records of circuit, probate and commissioners courts in the State of Indiana, and to authorize and empower the boards of commissioners of the several counties of said State to provide for the restoration and preservation of the records of their respective counties, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall of Newton, introduced House Bill No. 40. A bill fixing the times of holding the circuit courts in the several counties of the Thirtieth Judicial Circuit.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall introduced House Bill No. 41. A bill declaring the effect of the repeal of statutes.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kimmell introduced House Bill No. 42. A bill to provide for the protection of wild game and defining the time in which the same may be taken or killed, declaring the penalty for the violation of this act, repealing all laws inconsistent herewith and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Moorman introduced House Bill No. 43. A bill to suppress tippling houses, to regulate the sale, barter and giving away intoxicating liquors, to punish public exhibitions of drunkenness, to provide and enforce penalties for violations of this act, to repeal all laws inconsistent therewith, and to declare an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Moorman of Randolph, introduced House Bill No. 44. A bill for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements and articles of obscene and immoral use, and articles for procuring abortion and self-pollution, and for the repeal of all laws in conflict herewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Moorman introduced House Bill No. 45. A bill to amend an act approved March 10, 1873, amending sections 15 and 16 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties," approved June 11, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Rush, introduced House Bill No. 46. A bill to prevent domestic animals from running at large, regulating the same, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Rush, introduced House Bill No. 47. A bill to provide for the construction of partition fences along the line of railroads, keeping the same in repair, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Coffman introduced House Bill No. 48. A bill to regulate

the sale of mineral oils and other substances for illuminating purposes and providing a penalty for violations of the provisions thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Leeper introduced House Bill No. 49. A bill in relation to the assessments and taxation of land, and the refunding of taxes paid thereon.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Leeper introduced House Bill No. 50. An act authorizing cities and incorporated towns to change and reform their boundaries so as to exclude them from suburban lots or tracts of land not laid out in lots.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Leeper introduced House Bill No. 51. A bill to enable cities and incorporated towns to use the surplus special school fund belonging to such corporations for the payment of indebtedness created in the erection and completion of school buildings and in the purchase of any ground and building for school purposes.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Morrison introduced House Bill No. 52. A bill defining the time and the persons by whom quails may be netted or trapped, fixing the penalty for the violation of this act, and repealing all laws inconsistent herewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Langdon introduced House Bill No. 53. An act authorizing the appointment of students to Purdue University by the board of commissioners of each county, and to provide for the admittance of such scholars, and defining their privileges therein.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lanham introduced Joint Resolution No. 4. A joint resolution proposing amendments to the Constitution of the State.

Which was read the first time.

Mr. Adams introduced Joint Resolution No. 5. A joint resolution proposing amendments to the Constitution of the United States.

Which was read a first time and referred to a select committee on constitutional amendments, hereafter to be appointed.

Mr. Hulet offered the following joint resolution :

1. *Resolved by the General Assembly of the State of Indiana,* That the committee on counties and townships be instructed to inquire into the expediency of so changing the law in regard to the election of township trustees, that incorporated towns and cities shall be prohibited from voting for said trustee.

2. And if said committee shall find that such change would be advisable, that they report a bill to that effect, such as they may think best, and report at an early day.

Which on motion was referred to the committee on cities and towns.

Mr. Cook offered the following resolution :

Resolved, That the committee on judiciary be and are hereby instructed to inquire and report as to the expediency of drafting a law whereby lands sold for non-payment of taxes may vest a perfect title in the purchaser after a term of years, not less than five, if the same can be done.

Which was not adopted.

Mr. Lanham offered the following resolution :

Resolved, That the committee on county and township business be instructed to inquire into the comparative cost of the present semi-annual system of taxation, and the former system of annual taxation, and report at an early day.

Which was adopted.

Mr. Lanahan introduced the following resolution, which was adopted :

WHEREAS, The rules of this House provide that members having introduced bills, resolutions, petitions, memorials, remonstrances, etc., shall have the right to meet with and act as members of committees having such documents under consideration ; and

WHEREAS, Members may fail to exercise such right unless they have the means of knowing when such bills, resolutions, etc., are to be considered by committees ; therefore, be it

Resolved, That members desiring to exercise such right be and are hereby notified to signify such desire on the backs of such bills, resolutions, etc., and the chairmen of the several committees are respectfully requested to notify such members of the time when such documents are to be considered.

Mr. Henderson offered the following resolution, which was adopted by the House :

WHEREAS, The complaint among the people is universal that the cost of settling up decedents' estates is entirely too great, and that the length of time given for such settlement should be materially decreased ; therefore, be it

Resolved, That a special committee be appointed, to consist of five members, whose duty it shall be to devise a better system for the speedy settlement of estates, having in view the saving of the property of the heirs ; and that said committee report by bill at an early day of this session of the General Assembly.

Mr. Langdon introduced the following resolution :

WHEREAS, The order for printing the rules and orders of this House provides for the printing of but 200 copies ; and,

WHEREAS, Said number is insufficient to supply members, officers and committees and the next session of this House with copies of such rules ; therefore,

Resolved, That the Clerk of the House be instructed to have 300 additional copies of such rules and orders printed.

Which was not adopted by the House.

The following message from the Senate was received, by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the House resolution adopting the joint rules adopted at the Regular Session of 1873, as joint rules for the government of the present session of the General Assembly.

Mr. Thomas introduced the following resolution :

Resolved, That it shall be the duty of the several committees of this House to prepare bills on topics presented to their consideration and to report them to this House.

Which was not adopted.

Mr. Oglebay introduced the following concurrent resolution :

WHEREAS, On the 13th day of February, 1873, the gentleman from Tippecanoe, the Hon. Mr. Cole, introduced a joint resolution instructing our Senators and requesting our Representatives in Congress to restore the names of certain soldiers who were discharged without leave after the rebellion surrender, to their original places on the rolls of the army, which resolution was adopted by a vote of 70 to 1;

AND WHEREAS, No action has ever been had upon the subject by Congress;

AND WHEREAS, We believe it but an act of justice to the brave boys who fought down the rebellion, and who, tired of the red tape of the war department, by which they were prevented from an immediate return to their families and to their respective languishing business avocations, took "French leave" as they called it, and went home; therefore,

Be it Resolved by the House of Representatives, the Senate concurring, That our Senators be instructed and our Representatives in Congress be requested, to take such steps as will secure immediate action, and restore the names of the soldiers to their original places on the rolls of the army.

Be it further Resolved, That His Excellency, the Governor, be respectfully requested and instructed to forward to each of our Senators and Representatives in Congress, a copy of these resolutions at as early a day as possible.

Which on motion of Mr. Viehe was referred to the committee on military affairs.

On motion, Mr. Johnson of Dearborn was granted leave of absence till Monday morning, and to Mr. Madden till to-morrow morning.

Pending the call of the counties at Tippecanoe county, on motion of Mr. Foster of Allen, the House adjourned to 2 o'clock P. M.

AFTERNOON SESSION.

TUESDAY, January 9, 1877.

The House met at 2 P. M., with the Speaker in the chair, and on the continuance of the call of the roll of counties,

Mr. Oglebay introduced House Bill No. 54. A bill to amend an

act entitled "An act to provide for the redemption of real property or any interest therein, sold on execution or order of sale, and providing for the issuance of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict with the same," approved June 4, 1861, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow :

Mr. Langdon introduced House Bill No. 55. A bill to cure defective sheriffs' sales, where advertisement thereof has been made as provided by an act approved March 11, 1875, entitled "An act to amend section 467 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading, without distinction between law and equity.'"

WHEREAS, Since the act of March 11, 1875, above referred to, has come into force, numerous sheriffs' sales have been made throughout the State, under the honest understanding that said act was valid and operative in permitting the sheriff to advertise the sale in any newspaper of the county in which the lands to be sold were situate, without reference to the contiguity of the publishing office to such lands ; and,

WHEREAS, The Supreme Court of Indiana has decided said act inoperative and void, and thereby much confusion of title is likely to ensue ; now, therefore, to prevent such confusion, and to confirm the sales so made.

Which was read a first time, and passed to second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 56. A bill to protect purchasers of real estate, prescribing in which manner it shall be done, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Mathews introduced House Bill No. 57. An act providing for the improvement of highways, and repealing all acts inconsistent therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 58. A bill for the relief of William A. Jordan, former treasurer of Perry county, Indiana, and Thomas J. Cutler, Frederick Connor, John T. Connor, Joseph Meyer, Hiram W. Simmonds, Samuel K. Connor, Solomon Salm, John C. Shoemaker, William V. Reynolds, James Hardin, Adam Akerman, Hamilton Smith, Jr., Frederick Hahn, Edward B. Cutler and Hiram Carr, sureties on the official bond of the said William A. Jordan, treasurer as aforesaid, and to authorize the Auditor and Treasurer of Perry county to perform certain duties connected therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Sailors introduced House Bill No. 59. A bill to authorize county commissioners to contract for the legal defense of indigent persons by annual contract with a responsible attorney, declaring an emergency, and repealing all laws in conflict therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 60. An act in relation to stock killed or injured by railroads.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Collins introduced House Bill No. 61. An act to amend an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such Court, for the compensation of such Reporter," approved March 13, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Collins introduced House Bill No. 62. A bill to amend section 289, article 14, chapter 1, part 2, volume 2, Revised Statutes, Gavin & Hord, in relation to affidavits from another State.

Which was read a first time and passed to a second reading on to-morrow.

The Speaker laid before the House the papers in the contested election cases of Filbeck et al. vs. Jesse H. Conley and Ambrose B. Carlton, the members from the county of Vigo.

Which were referred to the committee on elections, without reading.

Mr. Oglebay introduced the following concurrent resolution, which was adopted :

WHEREAS, The existence of hard times, the low price of labor and produce, the stringency of the money market, the general depression and stagnation of business admonish us that in the interest of our constituents we should use proper precaution in the management of the funds of the State; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That this General Assembly will vote to pay no old bills for services rendered or material furnished prior to the commencement of the present session, unless presented and examined by the proper committee at least twenty days before the close of the present session.

Mr. Sailors introduced certain claims which were referred without reading to the committee on claims.

The Speaker laid before the House the following communication from the Board of Trade of the city of Indianapolis:

HON. JOHN OVERMYER,

Speaker of the House:

SIR:—We are instructed by the Indianapolis Board of Trade to extend to yourself, the members of the House and its employes, the compliments of the Board and an invitation to its floors at any and all times during your session that it may suit your convenience or pleasure. Board convenes daily, 12 M.

Very respectfully yours, etc.,

R. C. J. PENDLETON,

D. M. RANDELL,

WOOD G. TOUSEY,

Committee.

Mr. Carlton was granted leave of absence till Wednesday evening.

HOUSE BILLS ON FIRST READING.

Senate Bill No. 1. An act appropriating one hundred and twenty-five thousand dollars to defray the expenses of the Fiftieth General Assembly and other matters connected therewith,

Which was taken up and read a first time.

Mr. Lanham moved that the constitutional rule be suspended, the bill read a second and third times and put upon its passage.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were, Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Freeman, Fromm, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Harper, Hosmer, Hubbard, Kennedy of Rush, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Peelle, Rea, Reno, Riley, Sailors, Scott, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Howard and Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Zering, Zimmerman and Mr. Speaker—74.

Those who voted in the negative were Messrs. Albert, Branyan, Foster of Allen, Foster of Monroe, Garver, Girton, Henderson, Johnson of Carroll, Mathews, Smith, Stewart and Yaryan—12.

So the rules were suspended and the bill read a second time.

Whereupon Mr. Peelle moved the following amendment to the bill:

I move to amend section 3 of the bill just read by striking out the words "either House" in line 13, and insert in lieu thereof "both Houses."

Which was agreed to, and the bill as amended was read the third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Peelle, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Howard and Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zering, Zimmerman and Mr. Speaker—82.

Those who voted in the negative were Messrs. Albert, Benz, Foster of Allen, Girton, Henderson and Oglebay—6.

So the bill passed.

HOUSE BILLS ON SECOND READING.

House Bill No. 1, introduced by Mr. Carlton, was read a second time and referred to the committee on judiciary.

House Bill No. 2, introduced by Mr. Branyan, was read a second time and referred to the committee on drains and dykes.

House Bill No. 3, introduced by Mr. Freeman, was read a second time and referred to the committee on organization of courts.

House Bill No. 4, introduced by Mr. Hulet, was read a second time and referred to the committee on judiciary.

House Bill No. 5, introduced by Mr. Viehe, was read a second time and referred to the committee on judiciary.

House Bill No. 6, introduced by Mr. Branyan, was read a second time and referred to committee on the organization of courts.

House Bill No. 7, introduced by Mr. Henderson, was read a second time and referred to the committee on organization of courts.

House Bill No. 8, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 9, introduced by Mr. Crumpacker, was read a second time and referred to committee on organization of courts.

House Bill No. 10, introduced by Mr. Hauss, was read a second time, and referred to the committee on organization of courts.

House Bill No. 11, introduced by Mr. Hulet, was read a second time, and referred to the committee on rights and privileges of the inhabitants of the State.

House Bill No. 12, introduced by Mr. Adams, was read a second time, and referred to committee on organization of courts.

House Bill No. 13, introduced by Mr. Branyan, was read a second time, and referred to the committee on organization of courts.

House Bill No. 14, introduced by Mr. Hulet, was read a second time and referred to the committee on county and township business.

House Bill No. 15, introduced by Mr. Collins, was read a second time and laid upon the table.

House Bill No. 16, introduced by Mr. Oglebay, was read a

second time and referred to the committee on county and township business.

House Bill No. 17, introduced by Mr. Warrum, was read a second time and referred to the committee on rights and privileges.

House Bill No. 18, introduced by Mr. Branyan, was read a second time and referred to the committee on organization of courts.

House Bill No. 19, introduced by Mr. Carlton, was read a second time and referred to the committee on temperance.

Leave of absence was granted to Mr. Swayzee.

Pending the second reading of the House Bills at No. 20, on motion by Mr. Lanham, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

JANUARY 10, 1877.

The House met at 9 o'clock with the Speaker in the chair.

The Journal of yesterday's was read and approved.

The Speaker laid the following Executive communication before the House:

EXECUTIVE DEPARTMENT,
January 9, 1877.

The Honorable, the Speaker of the House of Representatives :

SIR:—Samuel R. Downey is authorized to make and transmit Executive communications to the House of Representatives.

JAMES D. WILLIAMS,
Governor.

The Speaker announced the appointment of the following select committee, under the resolution of Mr. Henderson, to consider and prepare a bill for the speedy settlement of decedents' estates, viz.: Messrs. Henderson, Cole, Foster of Monroe, Collins and Compton.

The Speaker announced the appointment of the following committee under the resolution of Mr. Oglebay, for the appointment of a select committee upon the establishment of a State Board of Health, viz.: Messrs. Freeman, Oglebay, Austin, Coffman and Morrison.

BILLS ON SECOND READING.

The House resumed the consideration of bills on second reading, being the order of business pending on adjournment.

House Bill No. 20, introduced by Mr. Ashby, was read a second time and referred to the committee on ways and means.

House Bill No. 21, introduced by Mr. Austin, was read a second time and referred to the committee on roads.

House Bill No. 22, introduced by Mr. Langdon, was read a second time and referred to committee on judiciary.

House Bill No. 23, introduced by Mr. Little, was read a second time and referred to the committee on fees and salaries.

House Bill No. 24, introduced by Mr. Branyan, was read a second time and referred to the committee on judiciary.

House Bill No. 25, introduced by Mr. Marsh, was read a second time and referred to the committee on judiciary.

House Bill No. 26, introduced by Mr. Foster of Allen, was read a second time and referred to the select committee on State Board of Health.

House Bill No. 27, introduced by Mr. Compton, was read a second time and referred to the committee on judiciary.

House Bill No 28, introduced by Mr. Koontz, was read a second time and referred to the committee on agriculture.

House Bill No. 29, introduced by Mr. Gossman, was read a second time and referred to committee on county and township business.

House Bill No. 30, introduced by Mr. Carson, was read a second time and referred to committee on organization of courts.

House Bill No. 31, introduced by Mr. Warrum, was read a second time and referred to committee on ways and means.

House Bill No. 32, introduced by Mr. Lane, was read a second time and referred to committee on judiciary.

House Bill No. 33, introduced by Mr. Branyan, was read a second time and referred to committee on corporations.

House Bill No. 34, introduced by Mr. Cole, was read a second time and referred to committee on roads.

House Bill No. 35, introduced by Mr. Smith, was read a second time and referred to the committee on judiciary.

House Bill No. 36, introduced by Mr. Lanham, was read a second time and referred to the committee on county and township business.

House Bill No. 37, introduced by Mr. Craft, was read a second time and referred to the committee on cities and towns.

House Bill No. 38, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

Leave of absence for the day was granted to Mr. Craft.

House Bill No. 39, introduced by Mr. Grubbs, was read a second time and referred to the committee on judiciary.

House Bill No. 40, introduced by Mr. Hall, was read a second time and referred to the committee on organization of courts.

House Bill No. 41, introduced by Mr. Hall, was read a second time and referred to the committee on judiciary.

House Bill No. 42, introduced by Mr. Kimmell, was read a second time and referred to the committee on rights and privileges.

House Bill No. 43, introduced by Mr. Moorman, was read a second time and referred to the committee on temperance.

House Bill No. 44, introduced by Mr. Moorman, was read a second time and referred to the committee on rights and privileges.

House Bill No. 45, introduced by Mr. Moorman, was read a second time and referred to the committee on cities and towns.

House Bill No. 46, introduced by Mr. Kennedy of Rush, was read a second time.

Whereupon Mr. Cole moved to amend the bill by striking out all after the enacting clause, and inserting in lieu thereof a new bill under the same title; which amendment was accepted by Mr. Kennedy and the bill as amended referred to the committee on county and township business.

House Bill No 47, introduced by Mr. Kennedy of Rush, was read a second time.

Whereupon Mr. Branyan offered the following amendment :

I move that the bill be amended by striking out the number "twenty" before the word "days" wherever the same occurs in the bill, and that instead of the number "twenty" the number "thirty" be inserted.

Which amendment was accepted by Mr. Kennedy, and the bill as amended referred to the committee on Judiciary.

House Bill No. 48, introduced by Mr. Coffman, was read a second time and referred to the committee on judiciary.

Pending the second reading of House Bills at No. 49, on motion, the House adjourned till 2 o'clock P. M.

AFTERNOON SESSION,

WEDNESDAY, January 10, 1877.

The House met, with the Speaker in the chair.

Leave of absence till to-morrow was granted to Mr. Zimmerman.

The order of business pending at adjournment being House Bills on second reading, was resumed.

House Bill No. 49, introduced by Mr. Leeper, was read a second time and referred to the committee on judiciary.

House Bill No. 50, introduced by Mr., Leeper, was read a second time and referred to the committee on cities and towns.

House Bill No. 51, introduced by Mr. Leeper, was read a second time and referred to committee on cities and towns.

House Bill No. 52, introduced by Mr. Morrison, was read a second time and referred to committee on rights and privileges.

House Bill No. 53, introduced by Mr. Langdon, was read a second time and referred to committee on education.

House Bill No. 54, introduced by Mr. Oglebay, was read a second time and referred to committee on rights and privileges.

House Bill No. 55, introduced by Mr. Langdon, was read a second time and referred to committee on judiciary. .

House Bill No. 56, introduced by Mr. Oglebay, was read a second time.

Whereupon Mr. Oglebay offered the following amendments :

Strike out in section 1 the following: "He shall cause the same to be recorded in the Clerk's office, and the costs therefor shall be taxed to the judgment debtor," and insert in lieu thereof the following: "He shall cause the same to be recorded in the miscellaneous records of the County Recorder, in the county in which he resides and has jurisdiction, for which the Recorder shall receive a fee of fifty cents, which fee shall be taxed to and collected from the judgment debtor."

The amendment was not agreed to.

The bill and amendments were referred to the committee on county and township business.

House Bill No. 57, introduced by Mr. Mathews, was read a second time and referred to the committee on roads.

House Bill No. 58, introduced by Mr. Carlton, was read a second time and referred the committee on judiciary.

House Bill No. 59, introduced by Mr. Sailors, was read a second time and referred to the committee on judiciary.

House Bill No. 60, introduced by Mr. Yaryan, was read a second time and ordered engrossed for a third reading on to-morrow.

House Bill No. 61, introduced by Mr. Collins, was read a second time and referred to the committee on organization of courts.

House Bill No. 62, introduced by Mr. Collins, was read a second time and referred to the committee on judiciary.

Under the provisions of an act approved December 23, 1872, the Speaker announced the appointment of the following committee to supervise and inspect the Journal:

The Speaker, *ex officio*, and Messrs. Johnson of Carroll, Lane, Marsh, Hubbard and Mathews.

The Speaker laid before the House the following report from the Doorkeeper, of propositions received by him for the rental of rooms for the use of the committees of the House:

Hon. John Overmyer, Speaker of the House of Representatives :

Pursuant to a resolution of the House, requesting the Doorkeeper to investigate and ascertain the price that suitable rooms could be procured for the accommodation of the various committees of the House, I respectfully submit the following propositions as read by me:

Mr. Ross, proprietor of the Ross Block, on the west side of the Circle, will furnish five rooms for seven hundred dollars, furnished with furniture, carpeted, heated with steam, gas light, running water, wash basins, towels, etc. The above price includes janitor's services, furnished by Mr. Ross. The rooms are located as follows: Two on the ground floor, 50 by 14 feet, will accommodate three committees each, and three rooms on third floor, 12 by 14 feet. All of said rooms are well finished.

Mr. Baker of the Grand Hotel will furnish five large rooms on the first floor furnished with all conveniences necessary, rooms heated by steam, carpeted and keep the rooms in order for one thousand dollars, and furnish janitor.

Five rooms can be had on the third floor in Wright's Block, opposite the post office on Market street, for four hundred dollars, and not furnished, the rooms are from fourteen to twenty feet square.

Mr. Baldwin, Doorkeeper of the House of Representative :

DEAR SIR:—We will supply for the use of the Legislative committees during the session, six rooms, including fuel, gas and services of janitor, tables, chairs, etc., for two hundred and seventy-five dollars. An additional room if wanted, warmed and lighted, well supplied, for the same time, for forty five dollars.

FRANKLIN LIFE INSURANCE COMPANY,

By L. G. HAY, Secretary.

There are no carpets or running water in said rooms.

L. D. BALDWIN,

Doorkeeper.

L. D. Baldwin, Doorkeeper of the House of Representatives :

DEAR SIR:—I will furnish you ten committee rooms on third floor of Martindale's Block, opposite the post office, during the session of the Legislature. Each is furnished with stove, table and chairs, for three hundred dollars. The same heated and janitored for three hundred and fifty dollars. The same without furniture, heat

or janitor, for two hundred dollars. The rooms are all newly papered and in good condition, and are conveniently arranged and centrally located.

Respectfully,

E. B. MARTINDALE.

Proposal of the Hotel Bates to furnish rooms for the use of the committees of the House of Representatives during the session of 1877:

We will furnish five rooms on the office floor, viz: Nos. 30, 31, 32, 33 and 136, supply the same with good tables and chairs, marble-top wash stands, carpets and mirrors, with fuel and gas and everything that is needful to make them complete for the use intended, including the janitor, for the sum of two hundred and fifty dollars for the session of 1877.

Description of rooms: No. 30 is 28x18 feet, with No. 31 connecting, which is not as large but of ample size for consultation or other purposes; No 33 is the same size as No. 30, with No. 32 connecting, same size as No. 31; No. 136 is 22x50 feet, near the others and in close proximity to the Hotel office. These rooms are all well lighted and adapted to the use proposed.

We can also furnish other rooms if needed by the committees, as occasion may require.

Yours respectfully,

IVES & PORTER.

January 10, 1877.

Said rooms will accommodate eight committees.

L. D. BALDWIN,

Doorkeeper.

Mr. Adams offered the following resolution:

Resolved, That the report of the Doorkeeper be received, and that he be and is hereby directed to contract with the proprietors of the Hotel Bates for the use of the five committees, five rooms—Nos. 30, 31, 32, 33 136—with janitors and fuel, during the session of this Legislature, for the sum of two hundred and fifty dollars.

Mr. Lanham moved that the report and resolution be referred to a select committee of three for investigation of the propositions in the Doorkeeper's communication.

Which was agreed to.

The Speaker appointed on such committee, Messrs. Lanham, Langdon and Johnson of Carroll.

Mr. Yaryan submitted the following report from the chairman of the second section of House committees:

MR. SPEAKER :

The chairman of the group of committees, consisting of the committee of ways and means, the committee on education, the committee on claims, the committee on railroads, the committee on reformatory institutions and the committee on federal relations, have designated and appointed Mr. Samuel B. Tibbetts as Secretary of said group of committees.

On motion of Mr. Scott, the select committee on committee rooms were excused for the remainder of the afternoon.

The Speaker began the call of the roll of counties for the introduction of bills, resolutions, etc., whereupon,

Mr. Spencer offered the following resolution, which was laid over until to-morrow :

Resolved, That on and after to-day the meeting of the House shall be at 9:30 o'clock A. M., and 2:30 o'clock P. M.

Mr. Marsh presented the following communication from Nicholas P. Filbeck, which was read and referred to the committee on elections :

To the Speaker of the House of Representatives of the General Assembly of the State of Indiana :

Your petitioner, the undersigned, having heretofore filed notice of contest of the election to your honorable body, of the Hon. A. B. Carlton and William A. Connelly, from the county of Vigo, would respectfully give notice of his abandonment of such contest, and prays to be allowed to withdraw such notice and all papers filed relating to such contest.

Respectfully,

NICHOLAS FILBECK.

INDIANAPOLIS, IND., January 10, 1877.

HOUSE BILLS INTRODUCED.

Mr. Foster of Allen introduced House Bill No. 63. A bill requiring the Superintendent of Public Instruction to furnish the school and road laws to the several trustees of the several townships of the State of Indiana, and the school trustees of the incorporated towns and cities, and providing payment therefor.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Chawner introduced House Bill No. 64. A bill to amend an act approved March 8, 1873, supplemental to an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, also declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cook introduced House Bill No. 65. A bill to amend section 42 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 66. A bill regulating the working of coal mines, and declaring a lien upon the works and machinery for work and labor in mining coal, and for the royalty on coal, and providing penalty for the violation thereof, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Benz introduced House Bill No. 67. A bill fixing the per diem and mileage of witnesses in justices' courts, and other matters properly connected therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. McCarty introduced House Bill No. 68. A bill to amend section 5 of an act entitled "An act prescribing the manner of empanneling petit jurors, the number and compensation thereof,"

approved May 20, 1852, and providing for the enforcing and collecting of the same.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Riley introduced House Bill No. 69. An act to amend section 455 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lockhart introduced House Bill No. 70. A bill to legalize the election held in 1875, in the town of Eaton, Delaware county, Indiana, and to legalize the official acts of the board of trustees of said town for the said year, and to legalize the acts of all other officers of said corporation for said year, under "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, and to legalize all by-laws, rules, regulations and proceedings of said Board of Trustees and said other officers adopted in pursuance thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Koontz introduced House bill No. 71. A bill to amend the first section of an act entitled "An act to authorize township trustees, trustees of incorporated towns and the common council of cities, to levy a tax for school purposes," approved March 9, 1867.

Which was read a first time and passed for a second reading on to-morrow.

Mr. Koontz introduced House Bill No. 72. A bill to legalize the official acts of the several Boards of Trustees of the town of Portland, Jay county, Indiana, and the official acts of each and every officer of said town from the date March 6, 1875, as under "An act for the incorporation under and in pursuance of the above entitled act."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 73. A bill to compel railroad companies and other corporations and persons owning and operating any railroad in this State to fence such road, and prescribing penalties for a violation of the same.

Which was read a first time and passed to a second reading on to-morrow.

Pending the call of the roll of counties at the counties of Dubois and Martin, on motion by Mr. Endsley, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

JANUARY 11, 1877.

The House met, with the Speaker in the chair.

The Journal of yesterday's proceedings was read and approved.

The Speaker resumed the call of the roll of counties for the introduction of bills, resolutions, etc., whereupon,

Mr. Thompson of Elkhart, offered the following resolution, which was adopted :

Resolved, That all resolutions, concurrent or joint resolutions, upon the subject of national politics, by whomsoever introduced, shall immediately, upon their introduction, be referred to the committee on federal relations without debate.

Mr. Albert offered the following petition :

Petition in favor of Louis Sernia, in the matter of a claim against Indiana State Prison South.

Which was read and referred to the committee on prisons.

Mr. Copeland offered the following resolution, which was adopted :

THAT WHEREAS, There is no suitable nor safe place wherein the Principal and Assistant Clerks can keep their stationery and papers pertaining to their duties; and

WHEREAS, The said Clerks are held responsible for the safe keeping and proper use of said papers and stationery; therefore, be it

Resolved, That the Doorkeeper be authorized to procure such repository and place the same in the rear of the Speaker's stand, at a cost not exceeding twenty dollars.

Mr. Swayzee offered the following resolution, which was adopted :

Resolved, That the committee on judiciary be and they are hereby instructed to inquire into the practicability of a law declaring the unlawful taking of standing grain from a field or rails from a fence, and other acts of a similar kind, a larceny, and if found to be practicable, to prepare and report to this House a bill to that effect.

Mr. Johnson of Carroll offered the following resolution, which was adopted :

Resolved by the House of Representatives of the State of Indiana, That the Reporter of the Supreme Court of this State is hereby requested to report to this House the number of copies of Reports of said Court sold by him since making his last report, the amount of sales and the cost of printing and binding the same.

Mr. Lehman offered the following resolution :

Believing that too much legislation is at all times injurious to the interest of the people, and believing that all laws should have ample time to test their efficiency ; and, believing further, that the present law regulating the sale of spiritous, malt and vinous liquors seems to give general satisfaction to the people of the State, and ample time should be given to test its advantages, and discover its disadvantages ; therefore,

Resolved, That the committee to whom matters on this subject shall be submitted, and, more especially, the committee on temperance, be and is hereby requested not to propose any material changes in our present law regulating the sale of spiritous, malt and vinous liquors.

The question being upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Priest and Collins.

Pending the call of the roll, Mr. Scott moved that the resolution be laid upon the table, and the ayes and noes being demanded by Messrs. Priest and Lehman,

Those who voted in the affirmative were Messrs. Adams, Baxter, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Claypool, Cole, Conley, Copeland, Craft, Crumpacker, Elwell, Endsley, Foster of

Monroe, Grubbs, Guthrie, Hall, Harris, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Little, Lockhart, Mathews, Moorman, Morgan, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Howard and Miami, Yaryan, Zering, Zimmerman—48.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Askren, Benz, Branyan, Carlton, Coffman, Collins, Compton, Cook, Cooley, Dannettell, Davis, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Hatfield, Houghton, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Lanham, Leeper, Lehman, Madden, Marsh, Merryman, Morrison, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Welborn, Wells, Warrum and Mr. Speaker—49.

So the resolution was not laid upon the table.

Mr. Lanham moved that the resolution be referred to the committee on temperance.

Mr. Lehman moved that the motion to commit be laid upon the table.

The ayes and noes being demanded by Messrs. Lehman and Albert,

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Benz, Branyan, Carlton, Carr, Coffman, Collins, Compton, Conley, Cooley, Davis, Endsley, Foster of Allen, Fromm, Garver, Girton, Gossman, Hatfield, Haughton, Henderson, Hosmer, Hulett, Johnson of Carroll, Leeper, Lehman, Madden, Marsh, Merriman, McCarty, Oglebay, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Welborn, Wells and Warrum—42.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Austin, Baxter, Bumgarner, Butler, Carey, Carson, Chawner, Claypool, Cole, Cook, Copeland, Crumpacker, Dannettell, Elwell, Foster of Monroe, Freeman, Grubbs, Guthrie, Hall, Harris, Hauss, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Mathews, Moorman, Morgan, Morrison, Paige, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Howard and Miami, Yaryan, Zering and Zimmerman—54.

So the motion to lay the motion to commit on the table did not prevail.

And the question recurring upon the motion to commit the resolution to the committee on temperance, the ayes and noes were demanded by Messrs. Carlton and Collins.

Those who voted in the affirmative were Messrs. Adams, Baxter, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Claypool, Cole, Conley, Cook, Copeland, Crumpacker, Dannettell, Elwell, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Highway, Harper, Hubbard, Kennedy of Rush, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Mathews, Moorman, Morgan, Morrison, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Howard, Thomson of Miami, Yaryan, Zimmerman and Mr. Speaker—51.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Haughton, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Kennedy of Union, Leeper, Lehman, Madden, Marsh, Merryman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Leno, Spencer, Stewart, Viehe, Welborn, Wells, Warrum—43.

So the motion to refer to the committee on temperance prevailed, and it was so ordered.

Mr. Harper offered the following resolution :

Resolved, That all claims against the State be referred to the committee on claims without reading.

Which was laid upon the table.

Mr. Henderson offered the following resolution, which was read and adopted :

Resolved, That the invitation of the Board of Trade extended to this House on Tuesday last, be accepted, and that a vote of thanks be tendered said Board for their courtesy in extending such invitation.

Mr. Henderson offered the following resolution :

Resolved, That the printed rules of the House shall embrace the Constitution of the United States.

Mr. Branyan moved to lay the resolution upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Foster of Allen and Marsh.

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Carr, Carson, Chawner, Coffman, Cole, Collins, Conley, Cook, Copeland, Crumacker, Dannettell, Elwell, Endsley, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Hulett, Johnson of Carroll, Kennedy of Union, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, Paige, Perigo, Priest, Rea, Reno, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Yaryan, Zering, Zimmerman and Mr. Speaker—70.

Those who voted in the negative were Messrs. Adams, Austin, Carlton, Compton, Cooley, Davis, Foster of Allen, Fromm, Girton, Henderson, Kennedy of Rush, Lehman, Peelle, Spencer, Welborn and Warrum—16.

So the resolution was laid upon the table.

Mr. Lane moved that the order of business be suspended for the purpose of hearing the report of the committee appointed to procure rooms for the committees of the House during the present session.

Which was agreed to by the House. Whereupon, Mr. Lanham, from the select committee on committee rooms, submitted the following report :

MR. SPEAKER :

Your special committee on rooms for the standing committees of the House, ask leave to report as follows : Your committee think that as many as six rooms will be needed. The proprietor of Hotel Bates offers six rooms ; four of these, in case of emergency, will accommodate two committees each at the same time ; the other two will accommodate but one committee each. The six are offered for \$300—janitor, fuel, light, and everything needful for committees, furnished.

The proprietor of the Grand Hotel offers six rooms, each sufficiently large for two committees for \$300, janitor, fuel, light and everything needful furnished. He further offers, if necessary, to open other rooms for the use of committees without additional cost. Your committee have examined other rooms, but cannot report favorably. We are unanimous in the opinion that the proprietor of the Grand makes the most liberal offer, and would recommend that

the doorkeeper be instructed to enter into contract with him without delay.

J. W. LANHAM,
B. W. LANGDON,
J. L. JOHNSON,
Committee.

Which was concurred in by the House.

The following message from the Senate was delivered, and read by its secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed Engrossed Senate Bill No. 22, being " An act to legalize the acts of the Board of County Commissioners of Martin county, Indiana, in the removal of the records of said county from the town of West Shoals to the town of Shoals, for the better protection of the county records, and the official acts the several county officials, and all orders, levies, sales, forfeitures, and all matters properly connected with the business of said county officials of said county ;" and the same is respectfully transmitted herewith.

The order of business was resumed.

Mr. Branyan offered a concurrent resolution for a committee of investigation of certain charges made of cruel treatment of convicts in the State Prison North.

Which was read, and on motion of Mr. Crumpacker, laid upon the table.

Mr. Morgan introduced Joint Resolution No. 7. A joint resolution instructing our Senators and Representatives to procure the enactment of a law restoring the silver dollar of coinage of 1792 to be a legal tender for payment of all debts.

Which was read a first time and referred to the committee on federal relations.

Mr. Hosmer introduced Joint Resolution No. 8, (and also a memorial of the Common Council of Michigan City, Indiana,) being a joint resolution concerning the annexation of certain territory to Michigan City, Indiana.

Which was read and with the accompanying memorial referred to the committee on cities and towns.

Mr. Adams introduced Joint Resolution No. 9. A joint resolution repealing article 13 of the Constitution of the State of Indiana.

Which was read and laid upon the table.

Mr. Gossman introduced House Bill No. 74. A bill in relation to donations by individuals to aid in the construction of any railroad, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thompson of Elkhart, introduced House Bill No. 75. A bill limiting the term of office of township trustees.

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Albert introduced House Bill No. 76. A bill to abolish the Twenty-seventh Judicial Circuit, and the criminal circuit courts therein, and to confer jurisdiction in criminal cases, upon the civil courts of Floyd county and Clark county, and to transfer all cases pending in said criminal circuit courts to said civil circuit courts, and declaring an emergency.

Which was read a first time, and passed to a second reading on to-morrow.

Mr Swayzee of Grant and Blackford introduced House Bill No. 77. An act legalizing subscriptions for benevolent or church purposes made or authorized to be made on the first day of the week, commonly called Sunday, and to provide for their collection.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 78 A bill to amend section 5 of an act entitled "An act touching the marriage relation, and liabilities incident thereto," approved May 31, 1852, and adding supplementary sections thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carson introduced House Bill No. 79. A bill defining the jurisdiction of grand juries in the several counties of this State, in criminal causes, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carson introduced House Bill No. 80. A bill defining the

powers and duties of prosecuting attorneys in State prosecutions, and other matters properly connected therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Garver introduced House Bill No. 81. A bill to amend section 14 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Warrum introduced House Bill No. 82. A bill to fix the time for holding township elections, for the election of township officers, and repealing all laws in conflict therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Warrum introduced House Bill No. 83. A bill providing for the removal of drifts and obstructions in water courses, and the draining of ponds, and sloughs, and penalties for obstructions or injuries thereof.

Which was read the first time, and passed to second reading on to-morrow.

Mr. Warrum introduced House Bill No. 84. An act to prevent and punish the giving of bribes, presents and gifts to public officers, and to prevent the corruptions in the civil service of the State, flowing from such corrupting practices.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Smith introduced House Bill No. 85. A bill to amend section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws inconsistent with the same, and prescribing penalties for the violation thereof."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thomson of Howard and Miami introduced House Bill No. 86. A bill to amend section 1 of an act entitled "An act authorizing the employment of short-hand reporters for certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing their duties and compensation of such reporters," approved March 10, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cole introduced House Bill No. 87. A bill to repeal sections 132, 133, 134, 135, 136, 137, 138, 139 and 140 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865, requiring township trustees to sell the books and other property remaining on hand belonging to the township school libraries, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carr introduced House Bill No. 88. A bill to amend section 2 of an act concerning inclosures, trespassing animals, and partition fences, approved June 4, 1852, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Viehe introduced House Bill No. 89. A bill to amend an act entitled "An act to amend section 16 of an act entitled 'an act concerning real property and the alienation thereof,'" approved March 11, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Harper introduced House Bill No. 90. A bill relating to the rights of married women and matters properly connected therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 91. A bill requiring county auditors to make assessors' books and road lists, providing compensation therefor, and declaring an emergency.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 92. A bill to amend section 3 of an act entitled an act prescribing the powers and

duties of justices of the peace in state prosecutions, approved May 29, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 93. A bill supplemental to the act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 94. A bill requiring the clerk, sheriff, or other officers in this State, now or hereafter authorized by law to take and accept replevin bail, or security of any kind for the stay of execution or the payment of any judgment, or otherwise, to take the affidavit of the party or parties offering to become such bail or security, as to his or their solvency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson moved a reconsideration of the vote by which the Doorkeeper was instructed to secure rooms at the Grand Hotel for the use of House Committees.

Mr. Carson moved that the motion to reconsider be laid upon the table.

The ayes and noes being demanded by Messrs. Henderson and Carlton,

Those who voted in the affirmative were Messrs. Ashby, Baxter, Butler, Carr, Carson, Chawner, Coffman, Cole, Compton, Conley, Cooley, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Harper, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Mathews, Merryman, Moorman, Morgan, Morrison, Paige, Peelle, Perigo, Rea, Reno, Sailors, Scott, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Howard and Miami, Viehe, Wells, Yaryan, Zering, Zimmerman and Mr Speaker—62.

Those who voted in the negative were Messrs. Austin, Benz, Branyan, Bumgarner, Carlton, Collins, Cook, Copelann, Fromm,

Garver, Girtou, Hauss, Henderson, Highway, Hulett, Lehman, Marsh, McCarty, Oglebay, Smith, Spencer, Stewart and Warrum—24.

So the motion to lay the motion to reconsider upon the table prevailed.

Mr. Adams presented a claim of Dodd & McKinney, of the city of Indianapolis, against the State.

Which was referred to the committee on claims.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House of Representatives to Senate Bill No. 1.

Pending the call of the roll of counties at the county of Marion, on motion by Mr. Sailors, the House adjourned.

AFTERNOON SESSION.

THURSDAY, January, 11, 1877.

The House met with the Speaker in the chair.

The call of the roll of counties pending at adjournment was resumed.

Mr. Peelle introduced House Bill No. 95. A bill to amend section 445 of the act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 96. A bill defining libel and fixing punishment therefor.

Which was read a first time, and Mr. Peelle moved that the

constitutional rule be suspended the bill read a second time and referred to the committee on judiciary.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were Messrs. Adams, Baxter, Branyan, Carlton, Carson, Chawner, Coffman, Compton, Crumacker, Elwell, Endsley, Foster of Allen, Foster of Monroe, Garver, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merryman, Moorman, Morgan, Morrison, Oglebay, Peelle, Perigo, Priest, Ray, Reno, Sailors, Spencer, Thompson of Elkhart, Thomson of Howard, Thomson of Miami, Viehe, Wells, Yaryan, Zimmerman and Mr. Speaker—56.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Benz, Bumgarner, Butler, Carey, Carr, Claypool, Cole, Collins, Conley, Cook, Cooley, Dannettell, Davis, Fromm, Girton, Gossman, Houghton, Harper, Hulet, Kennedy of Union, Lane, Marsh, McCarty, Paige, Riley, Scott, Smith, Stewart, Swayzee, Thomas, Warrum and Zehring—35.

So the constitutional rule was not suspended, and the bill passed to a second reading, on to-morrow.

Mr. Grubbs introduced House Bill No. 97. A bill to legalize certain acts of the Board of Commissioners of Morgan County, in the State of Indiana, providing for the restoration and preservation of the burned records of the clerk's and auditor's offices of said county, and providing that such restored records shall have the same force and effect as the original records, and declaring an emergency.

Which was read a first time, and passed to a second reading, on to-morrow.

Mr. Davis introduced House Bill No. 98. An act to regulate the hanging of doors to the entrances of theaters, opera-houses, public halls, museums, churches, colleges, seminaries and school buildings.

Which was read a first time, and passed to a second reading, on to-morrow.

Mr. Zehring introduced House Bill No. 99. A bill supplemental to an act to provide for the regulation of all kinds of animals within the different townships in the different counties of this State, and to provide for the taking up and impounding and selling

all such animals as shall not be allowed by law to run at large, approved May 3, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hulet introduced House Bill No. 100. An act amending section 53 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon, approved December 21, 1872.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Scott introduced House Bill No. 101. A bill to amend sections 2 and 4 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved June 15, 1852, and adding a supplementary section, repealing laws in conflict, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall introduced House Bill 102. An act to regulate the disbursement of county funds.

Which was read a first time and passed to a second reading on to morrow.

Mr. Hall introduced House Bill No. 103. A bill to provide for taxing as costs the expense of procuring transcripts and exemplification of records.

Which was read for the first time and passed to a second reading on-to-morrow.

Mr. Hall introduced House Bill No. 104. An act making the gold and silver coins of the United States a legal tender in the payment of debts and taxes in the State of Indiana.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Reno introduced House Bill No. 105. An act to provide for the removal of rails and plank fencing from overflowed lands.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lane introduced House Bill No. 106. A bill to amend section 4 of an act entitled "An act in relation to the organization of the two houses of the General Assembly, prescribing the number of officers and employes of each House, and regulating their duties," approved December 23, 1872, acts of 1872-1873, page 33, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Moorman introduced House Bill No. 107. An act to make the property of married women subject to execution for debts of their own contracting, giving the benefit of exemption, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Rush introduced House Bill No. 108. A bill to provide a library for the township of Orange in the county of Rush.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Elwell introduced House Bill No. 109. An act fixing the amount of pay and the kinds of funds out of which election boards shall be paid.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Morrison introduced House Bill No. 110. A bill to amend section 27 of an act entitled "An act fixing the fees, salaries, duties, and compensation of the officers and persons named therein; prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Butler introduced House Bill No. 111. A bill declaring agreements to pay attorneys fees contained in any bill of exchange, acceptance, draft, promissory note, or other written or printed evidence of indebtedness, illegal and void, and repealing all laws in conflict with this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Butler introduced House Bill No. 112. A bill to regulate the sale of spiritous, vinous and malt liquors, and prohibiting the sale on certain days and to certain persons ; prescribing penalties for intoxication, providing for the recovery of damages for injuries growing out of sales of liquor, prescribing the manner of disposing of the fines collected by justices and courts, and repealing all laws on the subject.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 113. A bill defining the powers of county commissioners and limiting them in certain cases, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 114. A bill to remove from married women all disabilities to contract, authorizing them to sue and be sued, and defining their liability on their contracts, repealing all laws in conflict with the same, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Dannettell introduced introduced House Bill No. 115. A bill to repeal an act therein named.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Endsley introduced Joint Resolution No. 10.

Which was read and referred to the committee on military affairs.

Mr. Peelle presented a petition from the citizens of Indianapolis, asking the legislature to secure the passage of a law limiting the power of the City Council to create a debt beyond 2 per cent. of the taxable property for the current year, and to limit taxes to one dollar on the hundred dollars of taxable property.

Which was read and laid upon the table.

Leave of absence was granted to Mr. Branyan until Monday, and to Mr. McGaughey until to-morrow morning.

Mr. Scott offered the following resolution :

WHEREAS, The manufacture and sale of spirituous and malt liquors has been legalized by the proper authorities of the State of Indiana ;

AND WHEREAS, The persons engaged in the manufacture and sale of such spirituous and malt liquors are annually throwing large numbers of confirmed inebriates on the care of private society who are dangerous to the peace of community and a burden to their families and friends ;

AND WHEREAS, We believe that many of said inebriates might be cured and reformed by proper medical treatment ;

AND WHEREAS, We believe that the persons who are engaged in the manufacture and sale of liquors as a beverage ought to be taxed to support the victims of the said traffic ; therefore

Be it resolved, That the committee on reformatory institutions be and are hereby instructed to inquire as to the expediency of drafting a law providing for appropriating and applying of not less than twenty-five per cent. of all fees derived from the issuing of licenses to sell intoxicating liquors, if any, to the erection and maintainance of a home or asylum for the treatment and cure of such confirmed inebriates as shall, on proper legal evidence, be proven to have become dangerous to the peace of community or a burden to their families or friends.

Which, on motion, was referred to the committee on reformatory institutions.

Mr. Scott offered the following resolution :

Resolved, That the special committee appointed to report on constitutional amendments, be and are hereby instructed to engraft in any amendment they may recommend, a clause requiring all voters at all general or special elections held within this State, before depositing his ballot, to produce then and there a receipt from the Treasurer of some county within the State of Indiana showing that said voter had paid his poll or other taxes within the last year immediately preceding the time of holding said election.

Which was read and referred to the committee on elections.

Mr. Freeman introduced the following resolution :

WHEREAS, No schedule of fees for county officers can justly and properly provide salaries for said officers ; therefore,

Resolved, That the committee on fees and salaries be requested to inquire into, and if deemed advisable, report to this House a bill

providing a schedule of salaries for county officers. Such salaries to be graduated according to population and valuation of the counties, and providing for the payments into the county treasury of such fees as may be provided for by law.

Which was adopted.

Mr. Chawner, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

I am directed by the committee on engrossed bills, to report to the House that said committee has examined Engrossed House Bill No. 60, and find the same, in all respects, carefully engrossed.

Mr. Hatfield presented a memorial of sundry citizens and tax payers of Perry county, Indiana, asking the enactment of a law for the relief of William A. Jordan, late Treasurer of said Perry county, in the matter of the robbery of the treasury of said county of the sum of seven thousand dollars.

Which was referred to the committee having the custody of House Bill No. 58.

Mr. Coffman introduced the following resolution :

Resolved, That the committee on roads be requested to report to this House as near as practicable, the number of miles of highway now subjected to commutation labor in the State ; also, the number of days of labor that are applied to the same, yearly, as near as practicable (or approximately at least,) also to ascertain the amount of revenues that fifteen cents on the one hundred dollars would produce, and likewise the probable amount per mile, that would be necessary to keep the public highway in good repair per mile, per annum.

Which was not adopted.

Mr. Leeper introduced the following resolution :

WHEREAS, The efficiency of our public schools is greatly impaired by the frequent change of text books made in many localities, and the patrons of such schools thereby put to much unnecessary cost and inconvenience ; therefore

Resolved, That the committee on education be and are hereby instructed to frame and present to this House, a bill providing that proper restrictions and limitations shall be imposed upon the school trustees or other proper officers, so as to prevent the too frequent change of text books in the public schools of this State.

Which was read and referred to the committee on education.

Mr. Oglebay introduced the following resolution, which was adopted :

Resolved, That that portion of the Governor's inaugural address referring to the subject of finance and public expenditures be referred to the committee on ways and means.

Resolved, That that portion which refers to the abolition of unnecessary offices be referred to the committee on public expenditures.

Resolved, That that portion which refers to cheap transportation be referred to the committee on railroads.

Resolved, That that portion referring to the common school system be referred to the committee on education.

Resolved, That that portion which refers to illegal voting and election be referred to the committee on election.

Resolved, That that portion which refers to the apportionment of Senators and Representatives be referred to the committee on rights and privileges of the inhabitants of the State.

Resolved, That that portion which refers to exceptive legislation be referred to the committee on judiciary.

Resolved, That that portion which refers to agriculture be referred to the committee on agriculture.

Mr. Carlton offered the following resolution :

WHEREAS, In the language of Thomas Jefferson, "governments derive their just powers from the consent of the governed ;"

AND WHEREAS, In the language of Abraham Lincoln, "this is a government of the people, *by* the people and *for* the people ;"

AND WHEREAS, Samuel J. Tilden and Thomas A. Hendricks, as candidates respectively for President and Vice-President of the United States, have received a large majority of the popular vote ;

AND WHEREAS, It is the firm conviction of many millions of the voters of the United States, that said candidates are justly entitled to a majority of the electoral votes, and to be inaugurated as President and Vice-President ;

AND WHEREAS, It was declared by Thomas H. Benton in the United States Senate, that "it is the duty of the two houses of Congress to count the vote ;"

AND WHEREAS, In the language of Henry Clay on an occasion of counting the presidential vote, "the members of Congress are present to determine what are votes ;"

AND WHEREAS, Senator Logan of Illinois, declared in the Senate of the United States, that "the two houses of Congress are to count the votes for President and Vice-President, and that the whole thing is under the supervision of the two houses ;"

AND WHEREAS, President Lincoln, in a special message to Congress in 1865, declared that "The two Houses of Congress, convened under the 12th article of the Constitution, have complete power to exclude from counting all electoral votes deemed by them to be illegal;"

AND WHEREAS, there is nothing in the Constitution or laws of the United States, that confers upon the President of the Senate the arbitrary and kingly power, to count the vote, determine the legality of votes, nor to decide as to the result ;

AND WHEREAS, More than forty millions of the people of the United States are deeply interested and profoundly agitated upon the question of the presidential election ; therefore

1. *Resolved*, That we deem it the duty and right of the people, and of the people's representatives, to discuss this question, as well as all other questions touching the public welfare, and unless we are willing to discuss this question and take our stand firmly on the side of truth, justice, the constitution and laws, we are unworthy of the heritage of freedom, bequeathed to us by our heroic ancestors.

2. *Resolved*, That if the President of the Senate, without further authority lawfully conferred upon him, shall assume to count the votes, determine the legality of the same, and to decide the result, it will be an act of usurpation, and a flagrant violation of the Constitution.

3. *Resolved*, That our Senators and Representatives in Congress are earnestly requested to use all honorable means to procure the adoption of some measure by the two Houses of Congress for the counting of the votes for President and Vice-President to the end that no excuse or pretext may be left for the exercise of the arbitrary and unconstitutional power aforesaid.

The resolution was referred to the committee on federal relations.

Mr. Carlton moved that the resolution offered by Mr. Spencer on yesterday, providing that the meetings of the House shall commence at 9:30 o'clock, A. M., and 2:30 o'clock, P. M., be taken from the table.

Mr. Lehman submitted the following amendment :

Resolved, That after the passage of this resolution the hour of

meeting of this House shall be at 10 o'clock, A. M., and 2 o'clock, P. M.

Mr. Yaryan moved to amend the amendment by making the hours of meeting 9:30 o'clock, A. M., and 2 o'clock, P. M.

Which amendment to the amendment was not agreed to.

The question recurring on the amendment of Mr. Lehman, Mr. Branyan moved the previous question, which was seconded by the House and the main question ordered by consent.

The amendment was then agreed to.

Pending the question on the resolution as amended, Mr. Welborn moved that the House do now adjourn.

Which was not agreed to.

The resolution as amended was then adopted.

Leave of absence, until next Monday, was granted to Mr. Endsley, and to Mr. Askren until Tuesday.

Pending the call of the roll of counties, at the county of Vermilion, on motion by Mr. Leeper, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

JANUARY 12, 1877.

The House met, with the Speaker in the chair.

The Journal of yesterday's proceedings was read and approved.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to transmit to the House of Representatives Enrolled Senate Bill No. 1, for the signature of the Speaker of the House.

The Speaker announced to the House that he had signed Enrolled Senate Bill No. 1.

By unanimous consent the order of business was suspended, and Mr. Lanham offered the following resolution, which was adopted.

Resolved, That the Doorkeeper of the House be and he is hereby instructed and authorized to procure a table for the use of the assistant clerks and warrant clerk, during the present session.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER :

I am directed by the President of the Senate to inform the House that he has signed Enrolled Senate Act No. 1.

Mr. Lane, from the joint committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills have this day presented to the Governor, for his signature, Senate Bill No. 1.

By unanimous consent Mr. Lane submitted the following report :

MR. SPEAKER :

The chairman of the committees constituting the third class met on Wednesday evening in the room of the joint committee on enrolled bills, and elected as their clerk Thomas L. Ewing of Jackson county.

By unanimous consent, the order of business was suspended and Mr. Clarey, from the committee on mileage and accounts, submitted the following report :

MR. SPEAKER :

Your committee on mileage and accounts have instructed me to make the following report of the miles traveled to and from the seat of government, by the members of the House of Representatives, and for which they are respectively entitled to mileage.

Respectfully submitted,

O. H. P. CAREY,
Chairman.

Justus C. Adams.....	—
Stephen Albert.....	226
Samuel Ames.....	350
F. W. Ashby.....	554
Smith Askren.....	268
C. B. Austin.....	250
J. R. Baxter.....	180
John Benz.....	370

J. C. Bran̄yan.....	216
Isaac Bumgarner.....	136
H. P. Butler.....	356
O. M. P. Carey.....	150
A. B. Carlton.....	146
J. P. Carr.....	170
James R. Carson.....	60
John Chawner.....	70
J. C. Claypool.....	146
S. S. Coffman.....	200
U. D. Cole.....	216
A. B. Collins.....	300
J. M. Compton.....	110
Wm. Conley.....	166
Joseph M. Cook.....	120
E. Cooley.....	200
A. C. Copeland.....	196
Wm. H. Craft.....	—
Theophilus Crumpacker.....	316
John Dannettell.....	392
Joseph W. Davis.....	260
H. H. Elwell.....	100
H. M. Endsley.....	50
T. J. Foster (of Allen).....	262
R. C. (Foster of Monroe).....	162
Wm. Freeman.....	204
J. F. Fromm.....	200
Wm. Garver.....	50
Christopher Girton.....	76
A. J. Gossman.....	456
George W. Grubbs.....	62
A. Guthrie.....	182
Andrew Hall.....	230
B. L. Harris.....	160
A. J. Hatfield.....	500
John W. Houghton.....	250
F. W. Hauss.....	330
Edgar Henderson.....	65
John D. Highway.....	300
Samuel Harper.....	400
Jackson Hosmer.....	300

Charles S. Hubbard	76
H. C. Hulet.	108
J. L. Johnson of Carroll.....	160
Columbus Johnson of Dearborn.....	200
A. Kennedy of Rush	86
J. P. Kennedy of Union.....	140
Orlando Kimmell.....	352
J. H. Koontz.....	100
E. T. Lane.....	100
B. W. Langdon.....	128
James W. Lanham.....	184
David R. Leeper.....	356
C. O. Lehman.....	60
Elisha Little.....	186
H. J. Lockhart.....	108
William H. Madden.....	300
J. K. Marsh	220
Claude Mathews.....	176
William E. Merryman.....	320
John A. Moorman	136
G. W. Morgan.....	40
A. A. Morrison.....	170
P. H. McCarty....	300
J. E. McGaughey	16
W. R. Oglebay.....	104
John Overmyer.....	130
A. E. Paige.....	120
Stanton J. Peelle.....	—
Robert Perigo.....	432
D. Rea.....	200
J. H. Reno.....	100
Z. T. Riley.....	104
G. W. Priest.....	100
J. L. Sailors.....	186
A. M. Scott.....	108
Joseph Smith.....	70
D. J. Spencer.....	300
L. W. Stewart.....	300
A. C. Swayzee.....	150
Daniel Thomas.....	150
John E. Thompson of Elkhart	300

M. Thompson of Howard	120
W. H. Thomson of Howard and Miami	100
F. W. Viehe.....	234
Joseph W. Welborn.....	400
John Whitehead.....	392
S. T. Wells	150
Noble Warrum.....	50
John Yaryan	140
Wm. Zehring.....	126
J. C. Zimmerman... ..	332

The report was concurred in by the House.

By unanimous consent Mr. Peelle offered the following resolution, which was adopted :

WHEREAS, We believe that the business of a legislative assembly, should be preceded with prayer to Him who controls the destinies of the world, and who alone is able and willing to guide men in their deliberations for wise legislation ; therefore be it

Resolved by the House of Representatives of the State of Indiana, That a committee of three be appointed to procure some clergyman to offer up prayer each morning during the session of this House.

By unanimous consent Mr. Grubbs submitted the following report :

To the Honorable, the Speaker of the House of Representatives :

Your committees on judiciary, organization of courts, banks, fees and salaries, insurance and corporations, comprising section one, would respectfully report that they have elected Michael A. Gelwick as clerk of said committees as provided by law, to date from January 9, 1877.

The call of the roll of counties was resumed.

Mr. Matthews offered the following concurrent resolution :

A concurrent resolution for extension of time for applications for pensions, and for dating of pensions from muster out or discharge :

Resolved, by the House of Representatives, the Senate concurring, That our Senators in Congress be respectfully requested to use their influence for the passage in the United States Senate of House Bill No. 511, which passed the House of Representatives in February, 1872, extending the time for ex-officers and soldiers of volunteers to

apply for pensions until January, 1880, and paying such pensions from the date of muster out or discharge.

Which was read and referred to the committee on military affairs.

Mr. Sailors offered the following resolution :

Resolved, That on and after Monday next the daily times for meeting of this House shall be 9 o'clock, A. M., and 2 o'clock, P. M.

Which, on motion of Mr. Lehman, was laid upon the table.

By unanimous consent Mr. Kennedy, of Union, offered the following resolution :

WHEREAS, The disease known as "hog colera" prevails throughout the State, and that in the opinion of the medical fraternity, its prevalence might be measurably abated by the adoption of sanitary measures enforced by law ;

Be it therefore Resolved, That it is the duty of the Representatives of the people of the State of Indiana to favor the enactment of such statutory laws as will tend to abate the disease.

Which was not adopted by the House.

Mr. Yaryan introduced Joint Resolution No. 11. A joint resolution asking for a repeal of the bankrupt law.

Which was read and referred to the committee on judiciary.

HOUSE BILLS ON FIRST READING.

Mr. Carlton introduced House Bill No. 116. A bill providing for continuance of causes.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Sailors introduced House Bill No. 117. A bill to amend section 10 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1853.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo introduced House Bill No. 118. A bill to amend section 5 of an act entitled "An act supplementary and amendatory of an act entitled 'an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,'" approved December 21, 1872.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo introduced House Bill No. 119. A bill defining the qualifications of township trustees.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Collins introduced House Bill No. 120. A bill to legalize the acts of the Common Council of the city of Greencastle, in Putnam county, in the annexation of a certain addition to said city, and legalizing the acts of said Common Council and the officers of said city over said addition, and all matters pertaining thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Collins introduced House Bill No. 121. A bill to amend section 529, article 24, chapter 1, part 2, Revised Statutes, to authorize executions from transcripts from another county.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 122. A bill to amend section 16 of an act entitled "An act to cure defects in the execution of deeds, or in the certificates of acknowledgments of conveyances of real estate, or any interest therein in the cases therein named, and doing away with a seal or ink scroll in the cases therein named, and to repeal conflicting laws," approved December 23, 1858.

Which was read a first time and passed to a second reading on to-morrow.

SENATE BILLS ON FIRST READING.

Senate Bill No. 22. A bill to legalize the acts of the Board of Commissioners of Martin county, Indiana, in the removal of the records of said county from the town of West Shoals to the town of Shoals; for the better protection of the county records, and the official acts of the several county officers, and all orders, decrees, sales, forfeitures, and all other matters connected with the business of said county officers of said county.

Which was read a first time and Mr. Viehe moved that the constitutional rule be suspended, the bill read a second and a third time and put upon its passage. The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Bumgarner, Butler, Carey,

Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zering, Zimmerman and Mr. Speaker—93.

No member voting in the negative.

So the constitutional rule was suspended and the bill read a second and third time.

The question being shall the bill pass?

Those who voted in the affirmative were, Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Bumgarner, Butler, Carey, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Zering, Zimmerman and Mr. Speaker—92.

No member voting in the negative.

So the bill passed.

HOUSE BILLS ON THIRD READING.

Engrossed House Bill No. 60, introduced by Mr. Yaryan. A bill in relation to stock killed or injured by railroads.

Was read the third time and the question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Bumgarner, Butler, Carey, Carlton, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—90.

No member voting in the negative.

So the bill passed.

On Mr. Yaryan's motion, by unanimous consent the title of the bill was amended to read as follows:

"A bill to amend the first section of an act entitled 'An act to provide compensation to the owners of animals killed or injured by the cars, locomotives or other carriages of any railroad company in the State, and to enforce the collection of judgments rendered on account of the same, and to repeal all laws inconsistent therewith,' " approved March 4, 1863.

Mr. Fromm was granted leave of absence until Tuesday morning.

Pending House bills on second reading, on motion by Mr. Freeman, the House adjourned.

AFTERNOON SESSION,

FRIDAY, January 12, 1877.

The House met, with the Speaker in the chair.

The Speaker laid before the House the following communication from the Reporter of the Supreme Court:

Hon. John Overmyer, Speaker of the House of Representatives :

SIR:—I have the honor to acknowledge the receipt, through the Honorable Clerk of the House of Representatives, of a resolution of the House (adopted January 11, 1877) whereby the "Reporter of the Supreme Court of this State is requested to report to the House the number of copies of reports of said Court sold by him since making his last report, the amount of sales, and the cost of printing and binding the same;" and I have to respectfully answer, that since the publication of the volumes mentioned in my answer to a similar inquiry, directed to me by the House of Representatives, January 22, 1875, I have caused to be printed and published eight volumes of said reports, as follows :

Volume 45, 1,359 copies, cost of printing and binding..	\$2,831 30
Volume 46, 1,350 copies, cost of printing and binding..	2,816 00
Volume 47, 1,359 copies, cost of printing and binding..	2,812 80
Volume 48, 1,303 copies, cost of printing and binding..	2,719 70
Volume 49, 1,120 copies, cost of printing and binding..	2,408 80
Volume 50, 1,113 copies, cost of printing and binding..	2,403 80
Volume 51, 1,110 copies, cost of printing and binding..	2,115 35
Volume 52, 1,091 copies, cost of printing and binding..	2,061 45

Total, 9,805 copies, cost of printing and binding..... \$20,159 20

The amounts thus shown do not include the cost of assistance, which has varied from between \$30 and \$40 per week, to \$18 per week, and for a short portion of the time has been \$10 per week. Nor do these amounts include insurance on books or cost of preserving the stereotype plates or any other incidental expense, but they include simply the cost of printing and binding. Of these volumes there have been delivered to the State the following number of copies: of vol. 45, 641 copies; of vols. 46, 47, 48 each, 648 copies; of vols. 49, 50, 51 and 52 each, 508 copies. The remaining copies have been kept on hand and sold and disposed of, the price for the volumes prior to vol. 49 being not more than \$4.50 per copy when sold at retail, but the greater portion of the Reports are sold through booksellers, to whom the volumes are sold at \$4 per copy. The four volumes succeeding vol. 48, issued during a period of seventeen months, are sold at \$3 per copy.

I have so sold or disposed of all said copies of the above mentioned eight volumes not so delivered to the State, except eight

copies of vol. 45, twelve copies of vol. 46, seven copies of vol. 47, and thirty copies of vol. 52.

I am, very respectfully, your obedient servant,

JAMES B. BLACK.

Reporter of the Supreme Court.

The order of business pending at the noon adjournment being House bills on second reading, was taken up :

HOUSE BILLS ON SECOND READING.

House Bill No. 63, introduced by Mr. Foster of Allen, was read a second time and referred to committee on county and township business.

House Bill No. 64, introduced by Chawner, was read a second time and referred to committee on education.

House Bill No. 65, introduced by Mr. Cook, was read a second time and referred to committee on education.

House Bill No. 66, introduced by Mr. Compton, was read a second time and referred to a special committee of three members.

House Bill No. 67, introduced by Mr. Benz, was read a second time and referred to committee on fees and salaries.

House Bill No. 68, introduced by Mr. McCarty, was read a second time and referred to the committee on organization of courts.

House Bill No. 69, introduced by Mr. Riley, was read a second time and referred to the committee on judiciary.

House Bill No. 70, introduced by Mr. Lockhart, was read a second time and referred to the committee on cities and towns.

House Bill No. 71, introduced by Mr. Koontz, was read a second time and referred to the committee on education.

House Bill No. 72, introduced by Mr. Koontz, was read a second time and referred to the committee on cities and towns.

House Bill No. 73, introduced by Mr. Gossman, was read a second time and referred to the committee on county and township business.

House Bill No. 74, introduced by Mr. Gossman, was read a second time and referred to the committee on railroads.

House Bill No. 75, introduced by Mr. Thompson of Elkhart, was

read a second time and referred to committee on county and township business.

House Bill No. 76, introduced by Mr. Albert, was read a second time and referred to committee on judiciary.

House Bill No. 77, introduced by Mr. Swayzee, was read a second time and referred to committee on judiciary.

House Bill No. 78, introduced by Mr. Baxter, was read a second time and referred to committee on judiciary.

House Bill No. 79, introduced by Mr. Carson, was read a second time and referred to committee on organization of courts.

House Bill No. 80, introduced by Mr. Carson, was read a second time and referred to committee on organization of courts.

House Bill No. 81, introduced by Mr. Garver, was read a second time and referred to committee on county and township business.

House Bill No. 82, introduced by Mr. Warrum, was read a second time and referred to committee on elections.

House Bill No. 83, introduced by Mr. Warrum, was read a second time and referred to committee on swamp lands.

House Bill No. 84, introduced by Mr. Warrum, was read a second time and referred to committee on rights and privileges.

House Bill No. 85, introduced by Mr. Smith, was read a second time and referred to committee on rights and privileges.

House Bill No. 86, introduced by Mr. Thomson of Howard and Miami, was read a second time and referred to committee on organization of courts.

By unanimous consent, Mr. Johnson of Carroll offered the following resolution :

Resolved, by the House of Representatives, That the communication of Hon. James B. Black, Reporter of the Supreme Court, be referred, with the resolution calling therefor, to the committee on judiciary, with instructions to inquire what legislation, if any, is necessary to procure the reduction in volume of the matter reported, the protection of purchasers, punishment of evasions of the law, as well as protection of the reporter himself, and report by bill or otherwise.

Which was read and, on motion of Mr. Grubbs, laid on the table.

By unanimous consent the following resolution was offered by Mr. Kennedy of Rush :

Resolved, That a committee of three be appointed to confer with the Doorkeeper, and ascertain what additional assistance he may need if any, and report immediately.

Which was adopted, and the Speaker appointed on such committee, Messrs. Kennedy of Rush, Morgan and Adams.

By unanimous consent, Mr. Lanham offered the following resolution :

Resolved, That during the present session of the General Assembly, the members and employes of the House shall be entitled to, and shall draw their per diem on Monday of each week.

Mr. Gossman moved to lay the resolution upon the table, which was not agreed to by the House, and the question recurring upon the resolution, it was adopted.

By unanimous consent the following resolution was offered by Mr. Oglebay, and adopted by the House :

WHEREAS, In the interest of economy and reform, and as a saving to the tax-payers of the State of Indiana, the expenditure of the public funds should be carefully and judiciously guarded ; therefore be it,

Resolved, That no committee of the House be authorized or empowered to incur any expense to the State whatsoever, without the consent of the House being first obtained.

By unanimous consent the following resolution was offered by Mr. Copeland, and adopted by the House :

WHEREAS, The proposition of the Grand Hotel to furnish committee rooms, accepted by this House, include the lighting, heating and janitor ; therefore, be it

Resolved, That the clerks of the committees, who are authorized to hire a janitor, be instructed by this House not to employ any person to act as such janitor.

By unanimous consent, the following resolution was offered by Mr. Cole :

Resolved, That the committee on prison affairs be and are hereby authorized to employ an expert bookkeeper, or accountant, during the time said committee shall be absent from the House investigating prison affairs : *Provided*, That the pay of said special clerk shall not exceed the pay of the Assistant Clerk of the House, and traveling expenses.

Mr. Lane offered the following amendment to the resolution :

Moved to amend by saying that "such expert bookkeeper or accountant shall receive the same per diem during the time that said committee are absent and engaged in their investigation as the Assistant Clerk of the House."

Which was accepted by Mr. Cole, and the question being upon the adoption of the resolution as amended, it was not adopted.

By unanimous consent, the following resolution was offered by Mr. Grubbs, and adopted by the House :

Resolved, That the Doorkeeper of the House be directed to procure a sufficient amount of stationery for the use of the standing committees of the House, to be furnished to the clerks of said committees upon the order of the respective chairmen of said committees.

By unanimous consent of the House Mr. Gossman offered the following resolution :

WHEREAS, There is now already a great number of bills in the hands of the various committees for their consideration, and the said committees are complaining that they have not time enough allotted to them for the consideration of the bills before them ; therefore, in order to give the different committees more time, be it

Resolved, That when this House adjourn it adjourn until Monday, at 2 o'clock.

Which was adopted.

By unanimous consent of the House, Mr. Adams offered the following resolution :

WHEREAS, Rutherford B. Hayes and William A. Wheeler have received 185 electoral votes, and are therefore duly elected to the offices of President and Vice-President of the United States ; and,

WHEREAS, The Democratic party of the State of Indiana have manifested a disposition to excite the public mind and create a public opinion and popular feeling against the legally constituted authorities ; and,

WHEREAS, The Democratic party is pursuing the same policy, and repeating its history for the last sixteen years by speech, the press and public declarations, which policy finally assumed a position in opposition to the legally constituted authorities of the Government at the outbreak of the late rebellion. Therefore,

Be it resolved, the Senate concurring, That our Senators and Representatives in Congress are hereby requested to offer no difficulties

nor technical obstructions to the properly authorized and legally constituted authorities in counting the electoral vote for President and Vice-President as established by precedent, tradition and the Constitution.

Under the rule the resolution was referred to the committee on federal relations.

By unanimous consent of the House, Mr. Kennedy of Rush, from the select committee appointed to confer with the Doorkeeper, made the following report :

MR. SPEAKER :

Your committee appointed to confer with the Doorkeeper with reference to what additional assistance, if any, he may require to properly attend to the various duties devolving upon him as Doorkeeper of the House, would report as follows. The statute allows him eight employes or assistants and after a conference with him, we are of the opinion that he can not properly and effectually attend his several duties as Doorkeeper with the force now at his command, and in order to enable him to properly perform the various duties of his office, we recommend that he be and is hereby authorized to appoint two additional assistants.

Respectfully submitted,

A. M. KENNEDY,

J. C. ADAMS,

J. H. MORGAN.

The question being upon concurring in the report of the committee, the ayes and noes were demanded by Messrs. Albert and Marsh.

Those who voted in the affirmative were Messrs. Adams, Ames, Bumgarner, Carey, Garver, Grubbs, Hall, Kennedy of Rush, Langdon, Morgan, Thomas, Thompson of Howard and Mr. Speaker—13.

Those who voted in the negative were Messrs. Albert, Ashby, Austin, Baxter, Benz, Butler, Carr, Carson, Chawner, Claypool, Cole, Collins, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Girton, Gossman, Guthrie, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hubbard, Johnson of Carroll, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Lehman, Little, Lockhart, Marsh, Mathews, Merryman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Rea, Reiley, Reno, Sailors, Smith, Spencer,

Stewart, Swayzee, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells and Zimmerman—67.

So the report of the committee was not concurred in.

Mr. Henderson moved that the vote by which the resolution by Mr. Johnson of Carroll, in reference to Supreme Court reports, was laid upon the table be reconsidered.

Which was agreed to by the House, and the resolution adopted.

Mr. Hulet was granted leave of absence until Monday noon, Mr. Haughton until Tuesday morning, Mr. Priest until Tuesday noon, Mr. Paige until Thursday morning, Mr. Guthrie until Tuesday morning, Mr. Lanham until Tuesday afternoon and Mr. Viehe until Tuesday morning.

Pending the second reading of House Bills at No. 87, on motion of Mr. Foster of Allen, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY AFTERNOON,

JANUARY 15, 1877.

The House met, with the Speaker in the chair.

The Journal of Friday's proceedings was read and approved.

Leave of absence until to-morrow morning was granted Messrs. Dannettell, Whitehead, Swayzee, Lane, Hosmer and Coffman.

Mr. Kennedy of Union entered a motion for a reconsideration of the vote by which his resolution concerning the enactment of a law for the prevention of hog cholera was rejected.

The House resumed the order of business pending at adjournment on Friday evening, being House bills on second reading.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed Senate concurrent resolution

authorizing the State Librarian to sell certain statutes, etc., and the same is transmitted herewith.

HOUSE BILLS ON SECOND READING.

House Bill No. 87, introduced by Mr. Cole, was read a second time and referred to the committee on education.

House Bill No. 88, introduced by Mr. Carr, was read a second time and referred to the committee on rights and privileges.

House Bill No. 89, introduced by Mr. Viehe, was read a second time and referred to the committee on judiciary.

House Bill No. 90, introduced by Mr. Harper, was read a second time and referred to the committee on rights and privileges.

House Bill No. 91, introduced by Mr. Henderson, was read a second time and referred to the committee on fees and salaries.

House Bill No. 92, introduced by Mr. Adams, was read a second time and referred to the committee on organization of courts.

House Bill No. 93, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 94, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 95, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 96, introduced by Mr. Peelle, was read a second time.

Mr. Peelle then introduced the following amendment thereto :

I move to amend section 1, by striking out the word "false," where the same occurs in said section, and insert, in lieu thereof, the word "wilful."

Which with the bill was referred to the committee on judiciary.

House Bill No. 97, introduced by Mr. Grubbs, was read a second time and referred to the committee on judiciary.

House Bill No. 98, introduced by Mr. Davis, was read a second time and referred to the committee on right and privileges.

House Bill No. 99, introduced by Mr. Zehring, was read a second time and ordered to be engrossed for a third reading on to-morrow.

House Bill No. 100, introduced by Mr. Hulet, was read a second time and referred to the committee on judiciary.

House Bill No. 101, introduced by Mr. Scott, was read a second time.

Mr. Bumgarner then moved the following instructions to accompany the same:

"I move the following instructions to the committee: Amend the bill so as to make provision for the proper disposition of the dog funds in cases where there is but a small portion of the township outside the limits of incorporated cities, and consequently small if any use for the said fund in paying for sheep destroyed by dogs, and little requirement for the use of tuition funds."

Which, together with the bill, was referred to the committee on agriculture.

House Bill No. 102, introduced by Mr. Hall, was read a second time and referred to the committee on county and township business.

House Bill No. 103, introduced by Mr. Hall, was read a second time and referred to the committee on judiciary.

House Bill No. 104, introduced by Mr. Hall, was read a second time and referred to the committee on judiciary.

House Bill No. 105, introduced by Mr. Reno, was read a second time and referred to the committee on agriculture.

House Bill No. 106, introduced by Mr. Lane, was read a second time and referred to the committee on ways and means.

House Bill No. 107, introduced by Mr. Moorman, was read a second time.

Mr. Branyan offered the following amendment:

I move that section 1 of this bill be amended by striking out the words "or" and "without," in line number 9 of the same.

Which amendment, with the bill, was referred to the committee on judiciary.

House Bill No. 108, introduced by Mr. Kennedy of Rush, was read a second time and referred to the committee on education.

House Bill No. 109, introduced by Mr. Elwell, was read a second time and referred to the committee on fees and salaries.

House Bill No. 110, introduced by Mr. Morrison, was read a second time.

Mr. Hall offered the following amendment thereto:

I move to amend section 1 by adding the following clause, to-wit: "Persons as garnishee defendants may be allowed, in the discretion of the court, to claim fees as witnesses, the same as may be allowed to other witnesses in the same court."

Which together with the bill, was referred to the committee on county and township business.

House Bill No. 111, introduced by Mr. Butler, was read a second time and referred to the committee on judiciary.

House Bill No. 112, introduced by Mr. Butler, was read a second time and referred to the committee on temperance.

House Bill No. 113, introduced by Mr. Oglebay, was read a second time and referred to the committee on county and township business.

House Bill No. 114, introduced by Mr. Oglebay, was read a second time and referred to the committee on rights and privileges.

House Bill No. 115, introduced by Mr. Dannettell, was read a second time and referred to the committee on judiciary.

House Bill No. 116, introduced by Mr. Carlton, was read a second time and referred to the committee on judiciary.

House Bill No. 117, introduced by Mr. Sailors, was read a second time and referred to the committee on organization of courts.

House Bill No. 118, introduced by Mr. Perigo, was read a second time and referred to the committee on county and township business.

House Bill No. 119, introduced by Mr. Perigo, was read a second time and referred to the committee on county and township business.

House Bill No. 120, introduced by Mr. Collins, was read a second time and referred to the committee on cities and towns.

House Bill No. 121, introduced by Mr. Collins, was read a second time and referred to the committee on judiciary.

Mr. Branyan moved a call of the House.

The Clerk proceeded with the call, and those who responded to the call were—Messrs. Adams, Albert, Ames, Ashby, Austin, Benz,

Branyan, Bumgarner, Butler, Carey, Carlton, Carr, Carson, Chawner Claypool, Cole, Collins, Compton, Cooley, Craft, Crumpacker, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Merryman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thomson of Miami, Welborn, Wells, Warrum, Zering and Mr. Speaker—72.

On motion of Mr. Thomas further proceedings under the call were dispensed with.

House Bill No. 122, introduced by Mr. Yaryan, was read a second time and referred to the committee on judiciary.

Joint Resolution No. 1, introduced by Mr. Crumpacker, was taken up and referred to the committee on elections.

Joint Resolution No. 2, introduced by Mr. Warrum, was taken up and referred to the committee on ways and means.

Joint Resolution No. 3, introduced by Mr. Lanham, was taken up and referred to the committee on elections.

Joint Resolution No. 4, introduced by Mr. Lanham, was taken up and referred to committee on elections.

Joint Resolution No. 5, introduced by Mr. Adams, was taken up and referred to the committee on elections.

The Speaker announced as the special committee on House Bill No. 66, Messrs. Compton, Peelle and Wells.

Leave of absence was granted until to-morrow to Messrs. Conley, Yaryan, Harris, Hubbard and Merriman.

By consent of the House, Mr. Garver offered the following resolution :

Resolved, That the Doorkeeper of the House be instructed to purchase a table for the use of the Folding Clerk.

Which was adopted.

Pending orders of the day, on motion by Mr. Oglebay, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

TUESDAY MORNING,

JANUARY 16, 1877.

The House met, with the Speaker in the chair.

On motion of Mr. Carlton, the reading of the Journal was dispensed with.

The House resumed the order of business pending at adjournment, being orders of the day, in pursuance of which the Speaker announced that reports from committees were in order, and thereupon Mr. Adams, from the committee on ways and means, submitted the following majority report:

MR. SPEAKER:

The committee on ways and means, to whom was referred House Bill No. 20, entitled "An act declaring silver subsidiary coins legal tender for debts, public and private, within the State," have carefully considered said bill and do authorize me to report the same back to the House with recommendation that it be indefinitely postponed.

J. C. ADAMS,

Chairman.

Mr. Warrum, from the same committee, submitted the following minority report:

MR. SPEAKER:

As a minority of the committee on ways and means, to whom was referred House Bill No. 20, introduced by Mr. Ashby, declaring silver subsidiary coin legal tender, I beg leave to report that I dissent from the report of the majority of said committee on said bill, and would recommend its passage.

NOBLE WARRUM.

The question being upon the adoption of the minority report, Mr. Lehman moved the previous question.

Which was seconded by the House, and the main question ordered.

The ayes and noes being demanded by Messrs. Reno and Warrum.

Those who voted in the affirmative were Messrs. Ashby, Askren, Benz, Butler, Carey, Carlton, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Davis, Endsley, Foster of Allen,

Freeman, Garver, Gossman, Hall, Hatfield, Haughton, Hauss, Henderson, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kimmell, Madden, Marsh, McCarty, Oglebay, Perigo, Priest, Rea, Reno, Riley, Stewart, Thomas, Wells, Warrum and Zering—45.

Those who voted in the negative were Messrs Adams, Albert, Ames, Austin, Branyan, Bumgarner, Carr, Carson, Chawner, Copeland, Craft, Crumpacker, Dannettell, Elwell, Foster of Monroe, Fromm, Girton, Grubbs, Guthrie, Harris, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Koontz, Lane, Langdon, Leeper, Lehman, Little, Lockhart, Mathews, Merryman, Moorman, Morgan, Morrison, McGaughey, Peelle, Sailors, Scott, Smith, Spencer, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehad, Yaryan and Mr. Speaker—50.

So the minority report was not adopted and the question recurring upon a concurrence in the report of the majority, it was concurred in and the bill indefinitely postponed.

The joint committee on enrolled bills presented the following report :

To the Speaker of the House of Representatives :

The joint committee on enrolled bills of the Senate and House of Representatives, respectfully report that we have carefully compared Senate Bill No. 22, with the enrolled bill, and we find that the same is correctly enrolled.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER:

By direction of the Senate I herewith transmit Senate Enrolled Act No. 22 to the House of Representatives for the signature of the Speaker thereof.

The Speaker announced to the House that he had signed Enrolled Senate Bill No. 22.

Mr. Grubbs from the committee on judiciary made the following report :

MR. SPEAKER:

The committee on judiciary, to whom was referred House Bill No. 1, entitled " An act to amend sections 7 and 8 of ' an act concerning real property and the alienation thereof, ' " approved May

6, 1852, have had the same under consideration, and have directed me to report the same back to the House with the following recommendation :

1. That the same be amended by striking out in the title all after the words " husband and wife."

2. By striking out section 3.

3. That said bill when so amended do pass.

Which report was concurred in by the House, and the bill as amended ordered to be engrossed for a third reading on to-morrow.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

The committee on judiciary to whom was referred House Bill No. 8, a bill to amend section 2 of an act entitled " An act to exempt property from sale in certain cases," have had the same under consideration, and have directed me to report said bill back to the House with the recommendation that the same be amended as follows :

1st. That section 2 of said bill be stricken out and the following be substituted :

" SEC. 2. *Be it further enacted*, That the working tools and implements owned by any laborer, mechanic and miner residing in this State, not exceeding in value two hundred dollars, and which may be necessary for the prosecution or carrying on his trade or business, shall not be sold on execution or any other final process from any court for any debt growing out of or founded upon a contract, express or implied, after such resident shall have signified his intention to take the benefit of such exemption, or complying with the provisions of section 1 of an act entitled ' An act supplemental to an act entitled an act to exempt property from sale in certain cases,' approved March 5, 1859, and as may now be required by law for resident householders to secure the benefit of the exemption mentioned in section 1 of this act : *Provided*, That the provisions of this section shall not apply to any executions or other process issued on a demand for the purchase money for such tools or implements : *And provided further*, That the exemption allowed in this section shall apply to resident householders in addition to the exemption allowed in section 1 of this act."

2d. And that said bill when so amended do pass.

The question being upon concurring in the report of the committee, Mr. Moorman moved the previous question, which was seconded by the House, and the main question ordered.

Pending which Mr. Freeman moved an adjournment of the House.

Which was not agreed to, and the question being, shall the report of the committee be concurred in?

The ayes and noes were demanded by Messrs. Johnson of Carroll and Smith.

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Butler, Carey, Carlton, Chawner, Compton, Cooley, Craft, Crumpacker, Davis, Endsley, Foster of Allen, Freeman, Garver, Grubbs, Hall, Harris, Houghton, Hauss, Harper, Johnson of Carroll, Kennedy of Union, Kimmell, Lane, Langdon, Leeper, Lockhart, Marsh, Mathews, Moorman, Morgan, McGaughey, Oglebay, Peelle, Priest, Rea, Reno, Sailors, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Wells, Warrum and Zering—49.

Those who voted in the negative were Messrs. Albert, Askren, Benz, Branyan, Bumgarner, Carr, Carson, Claypool, Coffman, Cole, Collins, Conley, Cook, Copeland, Dannettell, Elwell, Foster of Monroe, Fromm, Girton, Gossman, Guthrie, Hatfield, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Koontz, Lehman, Little, Madden, Merryman, Morrison, McCarty, Perigo, Riley, Scott, Smith, Spencer, Stewart, Thomas, Whitehead and Mr. Speaker—45.

So the report of the committee was concurred in.

On motion by Mr. Guthrie, leave of absence was granted Mr. Baxter on account of sickness.

Pending the further disposition of House Bill No. 8, on motion by Mr. Freeman, the House adjourned.

AFTERNOON SESSION,

TUESDAY, January, 16, 1877.

The House met with the Speaker in the chair.

The order of business pending at adjournment was resumed,

being the further disposition of House Bill No. 8, and the bill was ordered to be engrossed for a third reading.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER:

The committee on judiciary, to whom was referred House Bill No. 39, entitled "An act to provide for the restoration and preservation of the records of circuit, probate and commissioners' courts in the State of Indiana, and to authorize and empower the boards of commissioners of the several counties of said State to provide for the restoration and preservation of the records of their respective counties, and declaring an emergency," have had the same under consideration, and have directed me to report said bill back to the House with the following recommendation :

1. That the same be amended by striking out in the title the words "circuit, probate and commissioners' courts," and inserting in lieu thereof "all courts of record."

2. By striking out the words "circuit, probate and commissioners' courts," occurring in the seventh and eighth lines of section 1, and inserting in lieu thereof "all courts of record."

3. And that the bill when so amended, do pass.

GEO. W. GRUBBS,

Chairman of Judiciary Committee.

The report was concurred in, and the bill as amended ordered to be engrossed for a third reading on to-morrow.

Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

The committee on judiciary, to whom was referred House Bill No. 55, entitled "A bill to cure defective sheriffs' sales, where advertisements thereof has been made as provided by an act approved March 11, 1875," have had the same under consideration, and have directed me to report the same back to the House, with the following amendment :

That the words "a bill" be stricken out of the title, and the words "an act" be inserted in lieu thereof, and that said committee further recommend that said bill, when the title thereof is so amended, do pass.

GEO. W. GRUBBS,

Chairman.

Which report was concurred in by the House and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Marsh from the committee on judiciary submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred a resolution of instructions to inquire into the practicability of a law declaring the unlawful taking of standing grain from a field or rails from a fence, and other acts of a similar kind of larceny, have had the same under consideration and have instructed me to report that they do not deem any legislation on that subject necessary.

Mr. Carlton from the committee on judiciary submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 24, entitled "An act to amend section 1 of an act entitled, 'an act declaring attorneys fees, etc.,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do not pass.

Which report was concurred in by the House and the bill laid upon the table.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

The committee on judiciary to whom was referred House Bill No. 5, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that said bill do pass.

Which report was concurred in by the House and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

The committee on judiciary to whom was referred House Bill No. 4, an act amending section 27 of "An act regulating descents and the apportionments of estates," approved May 14, 1852, have had the same under consideration, and have directed me to report the same back to the House with the following recommendations :

1. That the same be amended by striking out all after word "act" in line 17 of section 1 of said act and substitute the words: "*Provided further*, That if she elect to take under the will she shall, within six months after the will is probated, filed in the office of the clerk of the court when the same is probated her consent to take, which shall be duly acknowledged, and that the same shall be recorded by the clerk of the court in the probate order book."

2. And that the said bill when so amended do pass.

Which report was concurred in by the House, and the bill as amended, ordered to be engrossed for a third reading on to-morrow.

The joint committee on enrolled bills presented the following report:

MR. SPEAKER:

Your joint committee on enrolled bills have this day presented to the Governor for his signature, Enrolled Senate Bill No. 22.

Mr. Garver, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

The committee on organization of courts, to whom was referred House Bill No. 40, entitled "An act fixing the time of holding the Circuit Courts in the Thirtieth Judicial Circuit of the State of Indiana, have had the same under consideration and direct me to report the same back to the House and recommend that it do pass.

Which report was concurred in by the House, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Little, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 29, have had the same under consideration, and directed me to report said bill back to the House with the following amendment:

Add in section 1, line 8, after the words seventy-five cents "And for each mile necessarily traveled in going and returning from court five cents per mile." And said committee unanimously recommend that said bill do pass when so amended.

Which report was concurred in by the House, and the bill as amended ordered to be engrossed for a third reading on to-morrow.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business have had under consideration House Bill No. 14, "An act prescribing the duties of Treasurers of the several counties, and the Treasurer of the State of Indiana, in relation to the interest or hire received by them for the loan of public funds," etc.," have instructed me to report the same back, with the recommendation that the same be indefinitely postponed.

Which was concurred in by the House and the bill indefinitely postponed.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 16, entitled "A bill to provide suitable books for records of the acts of courts of justices of the peace," having had the same under consideration, direct me to report the same back to the House, with the recommendation that it pass.

Which report was concurred in by the House and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 56, entitled "A bill to protect purchasers of real estate," together with the amendments thereto, having had the same under consideration, direct me to report the same back to the House, with the recommendation that it pass as amended.

Which report was not concurred in by the House, and the bill was laid on the table.

The committee on engrossed bills presented the following report :

MR. SPEAKER :

The committee on engrossed bills would respectfully report to the House, that they have compared Engrossed Bill No. 99, with the original copy, and find it correctly engrossed.

Mr. Yaryan, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

The committee to whom was referred House Bill No. 31, "To fix a uniform rate of interest, and defining and fixing penalties for the violation thereof," have had the same under consideration, and have instructed me to report it inexpedient to legislate on the same, and ask that it be indefinitely postponed.

Mr. Warrum, from the same committee, submitted the following minority report :

MR. SPEAKER :

As a minority of the committee of ways and means, to whom was referred House Bill No. 31, introduced by Mr. Warrum, to fix a uniform rate of interest, I beg leave to report that said committee have had said bill under consideration ; that I dissent from the report of the majority, and would recommend that said bill be passed.

The question being upon the adoption of the minority report. Mr Kennedy, of Rush, moved the previous question, which was seconded by the House and the main question ordered.

The ayes and noes were demanded by Messrs. Warrum and Reno.

Those who voted in the affirmative were Messrs. Ashby, Benz, Claypool, Coffman, Endsley, Garver, Hauss, Perigo, Priest, Reno, Stewart, Thomas, Wells and Warrum—14.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Askren, Branyan, Bumgarner, Butler, Carey, Carlton, Carr, Carson, Chawner, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Rea, Riley, Sailors, Scott, Smith, Spencer, Thompson of Elkhart, Thomson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Yaryan, Zehring and Mr. Speaker—79.

So the minority report was not adopted, and the question recurring upon a concurrence in the report of the committee, the same was concurred in and the bill indefinitely postponed.

Mr. Compton from the select committee appointed to consider House Bill No. 66, submitted the following report :

MR. SPEAKER :

Your special committee to whom was referred House Bill No. 66, entitled " An act regulating the working of coal mines, and declaring a lien upon the work and machinery for and labor in mining coal and for the royalty on coal, and providing penalties for violation thereof, etc.," have had the same under consideration and have directed me to report the same back with the recommendation that it do pass.

Which report was concurred in and the bill ordered engrossed.

Mr. Coffman from the select committee on State Board of Health, submitted the following report :

MR. SPEAKER :

The select committee to whom was referred so much of the Governor's message as refers to a State Board of Health, have had the same under consideration, and are of the unanimous opinion that it is a matter of very great importance to the inhabitants of the State, and commends itself to our most favorable approval. An opinion also concurred in by many distinguished citizens, educators and professional men of the State, and has given good satisfaction in other States where established, and in accordance therewith, have prepared a bill which is submitted to the House with accompanying memorial, for their consideration, and we recommend that it do pass.

Mr. Coffman then introduced House Bill No. 123. A bill to establish a State Board of Health ; to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to the local boards of health, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cook introduced House Bill No. 124. A bill to amend section 17 of an act entitled " An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852, repealing all laws in conflict and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cook introduced House Bill No. 125. A bill to amend section 2 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others; and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved June 18, 1852, approved March 2, 1865, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Johnson of Carroll, introduced House Bill No. 126. A bill to furnish the Justices of the Peace with the Revised Statutes of Indiana and docket, and declaring an emergency.

Which was read a first time and passed to a second reading on to morrow.

Mr. Marsh introduced House Bill No. 127. A bill to amend an act entitled "An act to prevent carrying concealed or dangerous weapons, and to provide punishment therefor," approved February 23, 1859, and repealing all former laws.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 128. A bill to amend section one of an act entitled "an act to enable and empower executors and administrators of the estates of deceased persons to enforce partition of the real estate of such decedents in certain cases," approved March 13, 1875, and declaring an emergency.

Which was read a first and passed to a second reading on to-morrow.

Mr. McCarty introduced House Bill No. 129. A bill to prohibit county sheriffs from charging fees for any services rendered by baliffs during the term time of any of the Circuit Courts of this State and declaring a penalty and declaring the duties and compensation of clerks of said courts.

Which was read a first time and passed to a second reading on to-morrow.

Mr. McCarty introduced House Bill No. 130. A bill to restrain usurious interest on money, and repealing all laws in conflict therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Koontz introduced House Bill No. 131. A bill to amend sections 48, 49 and 50, of an act entitled, "An act regulating general elections and prescribing the duties of officers in relation thereto," approved June 7, 1852.

Which was read a first time and passed for a second reading on to-morrow.

Mr. Claypool introduced House Bill No. 132. A bill to amend section 2 of an act approved June 17, 1852, entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Fromm introduced House Bill No. 133. A bill to amend section 6 of an act entitled "An act to create the Forty-first Judicial Circuit, to amend sections 34 and 39 of an act entitled 'an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of Common Pleas, and transferring the business thereof to the Circuit Courts, and providing for the election of Judges and Prosecuting Attorneys in certain cases,' approved March 6, 1873, and also to provide for holding terms of court in the Thirty-third, Thirty-eighth and Forty-first circuits," approved March 9, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Garver introduced House Bill No. 134. A bill to provide for the number of justices of peace in cities having a population over twenty thousand inhabitants and for each additional twenty thousand inhabitants.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Warrum introduced House Bill No. 135. A bill to amend section 6 of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852, and to prevent and render unnecessary the

calling of special sessions of such county boards to approve official boards and make settlements.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Warrum introduced House Bill No. 136. A bill declaring all railroad companies within the State to be common carriers; to regulate the passenger fares and tariff of fares thereon, requiring them to receive and discharge passengers and freights at all stations, and providing jurisdiction and penalties for the enforcement of the provisions of this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Bumgarner presented remonstrances of sundry citizens of Cass county against the passage of Senate Bill No. 20, creating a Superior Court in said county.

Which was laid upon the table.

Mr. Riley presented the petition of the County Council of the Patrons of Husbandry of Decatur county, asking such change in the assessment laws of the State as will enable tax-payers to deduct bona fide indebtedness from all assessments of personal property listed for taxation.

Which was read and laid upon the table.

Mr. Thompson of Elkhart presented a petition from sundry citizens of Elkhart county asking the amendment of existing laws making the Township Trustees ineligible to hold said office for more than two consecutive terms.

Which was received and referred to the committee on county and township business.

Mr. Carson presented a petition of sundry citizens of Hamilton county asking a change of a certain State road in said county.

Which was read and referred to the committee on roads.

Mr. Warrum presented the petition of Melissa Cooper, asking the General Assembly of the State of Indiana to allow her \$566.66, as the title to certain lands which she has purchased from the State of Indiana has failed.

Which was read and referred to the committee on claims.

The Speaker announced the following committee under Mr. Peelle's resolution, to procure the services of the ministers of this

city to open the sessions of this House with prayer each morning, viz: Messrs. Peelle, Moorman and Priest.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring
That the pay of Pages shall be two dollars per day, while in the employ of the Legislature.

Leave of absence was granted to Mr. Mathews.

Pending the call of the roll of counties at the County of Harrison, on motion by Mr. Foster of Allen, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

JANUARY 17, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by the Rev. Edgar Williams, of the Twelfth Presbyterian Church.

The Journal of yesterday's proceedings having been partially read, on motion by Mr. Leeper, the further reading of the journal was dispensed with.

The call of the roll of counties for the introduction of bills, resolutions, etc., pending an adjournment, was resumed.

BILLS INTRODUCED.

Mr. Branyan introduced House Bill No. 137. A bill to amend section 16 of an act entitled, "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts

incident thereto, and repealing all laws conflicting with this act, and declaring an emergency, approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lanham introduced House Bill No. 138. A bill requiring Boards of Directors of gravel road companies, turnpike, macadamized and plank road companies, to prepare and file with county auditors, certain annual statements, requiring county auditors to preserve such statements for examination, defining penalties for the violation of this act entitled, "An act requiring the officers of certain corporations therein named to make out and publish annual statements, and providing penalties for the violation thereof," approved March 9, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Harper introduced House Bill No 139. A bill fixing the liability of married women on certain contracts.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 140. A bill to amend section 2 of an act approved March 13, 1875, entitled "An act to amend section 2 of an act entitled, 'an act to secure dues from private corporations, and to extend their immunities to all citizens who may organize on the same terms,'" approved February 25, 1859.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 141. A bill to amend section 8 of an act entitled "An act regulating the granting of divorces, nullification of marriages and decrees, and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Smith introduced House Bill No. 142. A bill to amend sections 1 and 2 of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Smith introduced House Bill No. 143. A bill to amend section 3, and the title of an act entitled "An act fixing the per diem and mileage of the members of the General Assembly, and providing that they shall provide their own stationery," and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 144. A bill to amend an act entitled "An act to amend section 601 of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto,'" approved March 14, 1873, and adding a supplemental section thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. McGaughey introduced House Bill No. 145. A bill to amend section 18 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 146. A bill to repeal section 2 of an act entitled "An act defining certain misdemeanors and prescribing punishment therefor," approved December 2, 1865.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 147. A bill to amend section 20 of an act entitled "An act regulating the granting of divorces, nullification of marriages and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 148. A bill giving the employes of corporations a lien for their work and labor upon the corporate property of such corporation, and the earnings thereof, together with the mode of enforcing the same, and repealing all laws in conflict therewith.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 149. A bill to amend section 4 of an act entitled "An act providing for voluntary assignments of personal and real property in trust for the benefit of creditors, and regulating the mode of administering the same," approved March 5, 1859, and to amend section 10 of the same act as amended by an act entitled "An act amendatory and supplemental to the above entitled act," approved February 1, 1875, and as amended by an act entitled "An act to amend the tenth section of the above entitled act," approved February 26, 1875, and supplemental thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 150. A bill to exempt benefits, claims and interest of the wives, children and dependents of members of Masonic, Odd Fellows and other charitable societies, and exempting certain policies of life insurance from the claims of creditors, and designating the place where such corporations shall be sued, and providing for changing the names of payees or beneficiaries as may be agreed upon by the members of such societies or incorporations and the societies or incorporations of which they are members.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Zehring introduced House Bill No. 151. A bill regulating the tenure of office of county commissioners, and repealing all laws inconsistent therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Scott introduced House Bill No. 152. A bill authorizing boards of county commissioners to contract gravel, macademized, turnpike or other improved wagon roads, and make them free to all persons traveling thereon.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Monroe introduced House Bill No. 153. A bill in relation to plank, gravel and turnpike road companies, to fix the rates of toll thereon in certain cases, to prevent the opening of ways

around toll gates, to provide for injunctions and fixing and providing for the collection of penalties.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Monroe introduced House Bill No. 154. A bill to legalize the incorporation of the city of Bloomington, Monroe county, Indiana, and all official acts done by the Common Council and officers of said city.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Monroe introduced House bill No. 155. A bill to provide for a uniform assessment of property and for the levy, collection and return of taxes thereon in incorporated towns in this State, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Grubbs introduced House Bill No. 156. A bill to amend section 2 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,' approved March 6, 1865, and adding supplemental sections thereto," approved March 8, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall introduced House Bill No. 157. A bill regulating the continuance of criminal causes on account of the absence of evidence.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall introduced House Bill No. 158. A bill providing for the rendition of judgments on appeal bonds.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Reno introduced House Bill No. 159. A bill to amend section 3 of an act entitled "An act to regulate foreign insurance companies doing business in this State, prescribing the duties of the

agents thereof and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Freeman introduced House Bill No. 160. A bill to amend sections 4 and 5 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of this act by officers and others, and also repealing 'an act to license dogs,' approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled 'an act for the protection of sheep,' approved June 18, 1852, and also to repeal section 3 of said act," approved March 2, 1865.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Freeman introduced House Bill No. 161. A bill establishing County Courts, and providing for the election and compensation of Judges thereof, abolishing boards of county commissioners and transferring the business thereof, and for transferring probate matters of circuit courts to said county court.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Stewart introduced House Bill No. 162. A bill to amend section 10 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

CONCURRENT RESOLUTIONS.

Mr. Thomas offered the the following concurrent resolution :

WHEREAS, It has been publicly charged, by those professing to be informed upon the subject, that the honorable gentlemen who have lately retired from the Supreme Bench of this State, have been

guilty of irregularities, and perhaps speculation, resulting in the loss to the State of a large sum of money ; and

WHEREAS, The interest of the State demands that this matter should be investigated, and if the charges are true, the offenders brought to justice; and

WHEREAS, The public standing of the honorable gentlemen thus publicly charged with irregularities and speculation, demand, if they are innocent of the charges, that their innocence be established before the people, who are clamorous for reform ; therefore, be it

Resolved, That the Speaker of this House be instructed to appoint a committee of five members of the House to examine into this matter, and report to this body the result of their investigations, together with such recommendations as they may deem advisable.

Resolved, That this committee are authorized and empowered to compel the attendance of witnesses and the production of all necessary papers, to enable them to make a full and fair investigation of these alleged irregularities and speculations.

Which, on motion, was laid upon the table.

Mr. Foster of Monroe, offered the following concurrent resolution :

WHEREAS, At the session of the General Assembly of 1873, a committee was appointed to procure plans for a new State House ; and

WHEREAS, Said committee reported plans to the General Assembly at its session of 1875 ; and

WHEREAS, These plans were deposited with the State Librarian, and the whole subject referred to the present General Assembly ; therefore,

Resolved by the House of Representatives, the Senate concurring, That, the joint committee on public buildings, be instructed to inquire into the matter of a new State House, the responsibilities of the State in the premises, and what action should be taken, if any, and to report by bill or otherwise.

Which was adopted.

RESOLUTIONS, PETITIONS, ETC.

Mr. Lanham offered the following resolution :

WHEREAS, At the last Regular Session of the Legislature, the House of Representatives appointed a special committee to investigate the number and pay of the employes of the House, and said

committee reported that several persons were holding positions not provided for by law, and recommended the dismissal of all such persons ;

AND WHEREAS, Upon the report of said committee a resolution passed said House of Representatives instructing the Attorney General to institute suit for the recovery of money alleged to have been illegally drawn from the treasury by said employes ;

AND WHEREAS, Said House afterward passed a resolution implying doubt as to the propriety of such suit, ordering the report of said committee to be stricken from the Journal, and leaving the entire matter with the Attorney General to take such action as the facts and the law might warrant ; therefore,

Be it resolved, That the Attorney General be and is hereby respectfully requested to furnish this House with such information concerning the law and the facts in this case as may be in his possession, and that he be requested to report to the House, at his earliest convenience, what action, if any, he has taken in the matter, what amount of money, if any, he has recovered from said employes or any of them, and what amount, if any, is still due from them, or any of them, to the State.

Which was adopted.

Mr. Highway offered the following resolution :

WHEREAS, A report has been circulated throughout the State, that this House has voted down a resolution providing for an investigation of the Northern Prison ;

AND WHEREAS, Such report is without foundation in fact ; therefore be it

Resolved, That in the opinion of this House both the prisons of this State ought to be thoroughly investigated, and the committee on prisons is hereby instructed to make such investigation at an early day, and for this purpose are hereby authorized to examine all books, papers, contracts for material furnished, bills of sale for goods bought, contracts for work of hands, and all matters of business thereof during the last two years, and for this purpose, said committee shall have power to send for persons and papers, and report by bill or otherwise.

Which was adopted.

Mr. Freeman offered the following resolution :

Resolved, That the Principal Clerk of this House is hereby instructed to seal up and deposit with the State Librarian for the

use of the next General Assembly of this State, ten copies of the printed rules of this session, the same to be delivered by said Librarian to the Speaker of the next House.

Which was adopted.

Mr. Hall presented a petition of certain citizens of Benton county for an allowance to said county for expenses in the matter of the McCullough murder trial.

Which was read and referred to the committee on claims.

Pending the call of the roll of counties at the county of Pike, on motion by Mr. Lehman, the House adjourned.

AFTERNOON SESSION,

WEDNESDAY, January 17, 1877.

The House met, with the Speaker in the chair.

The call of the roll of counties pending at adjournment was resumed.

Mr. Stewart introduced House Bill No. 163. A bill to provide for the redemption of personal property sold for taxes, repealing all laws in conflict herewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Welborn introduced House Bill No. 164. A bill to amend sections 2 and 3 of an act entitled "An act providing for the election and prescribing certain duties of County Surveyors," approved June 17, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Welborn introduced House Bill No. 165. A bill to amend section 48 and 49 of an act regulating general elections, and prescribing the duties of officers in relation thereto, approved June 7, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Crumpacker introduced House Bill No. 166. A bill to

amend section 2 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Chawner, from the committee on engrossed bills, submitted the following report:

MR. SPEAKER:

The committee on engrossed bills have examined House Bills Nos. 8, 29, 66, 55 and 40, and find them correctly engrossed.

Mr. Crumpacker introduced House Bill No. 167. A bill authorizing county commissioners to offer rewards for the apprehension and conviction of horse thieves in certain cases.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Priest introduced House Bill No. 168. A bill repealing an act entitled "An act to authorize the construction of railroads by counties and townships taking stock in and making donations to railroad companies," approved May 12, 1869.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Moorman introduced House Bill No. 169. A bill to provide for the detection and arrest of felons.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Elwell introduced House Bill No. 170. A bill to authorize Township Trustees to district their townships for road purposes, the election of road supervisors assigning them their duties and the duties of Township Trustees in regard to roads and highways, and repealing all laws in conflict therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Rush introduced House Bill No. 171. A bill for an act in relation to prosecuting attorneys and providing a

mode of bringing witnesses before courts of justice, and their examination in reference to felonies and misdemeanors and matters properly connected therewith, and repealing all laws in conflict with this act.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Girton introduced House Bill No. 172. A bill to provide liens in favor of agricultural, horticultural or mechanical associations and the enforcement thereof, and for the appointment of a police force for such association and prescribing its powers.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Ashby introduced House Bill No. 173. A bill to fix the time of holding courts of Justices of the Peace in civil causes, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Coffmann introduced House Bill No. 174. A bill to amend section 57 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Leeper introduced House Bill No. 175. A bill providing for the construction of fish ladders over the dams across the St. Joseph river.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Langdon introduced House Bill No. 177. A bill in relation to the empaneling of juries in civil causes.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 177. A bill to establish the rate of interest, providing for the recoupment of usurious interest, and for the collection of attorney's fees, repealing all laws in conflict, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy, of Union, introduced House Bill No. 178. A bill amendatory of section 1 of an act entitled "An act fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery," approved December 19, 1872.

Which was read a first time and passed to a second reading on to-morrow.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed Engrossed Senate Bill No. 103. An act to legalize the election of the Boards of Trustees of the town of Gosport, Owen county, Indiana, for the years 1874, 1875 and 1876, and legalizing all of their official acts, by-laws, ordinances, regulations and proceedings passed and executed by them under and in pursuance of "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and defining their duties," approved June 11, 1852; and the same is herewith submitted to the House for its action thereon.

Mr. Reno moved that the orders of business be suspended and that Senate Bill No. 103, a bill to legalize the election of the Boards of Trustees and all other officers of the town of Gosport, Owen county, Indiana, for the years 1874, 1875 and 1876, and legalize all of their official acts, by-laws, ordinances, regulations and proceedings passed and executed by them under and in pursuance of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852, be taken from the Speaker's table, read a first time, the constitutional rule suspended and the bill read a second time by title, read a third time and put upon its passage.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Carey, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crum-packer, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson,

Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—96.

Those who voted in the negative were Messrs. Branyan and Swayzee—2.

So the order of business and the constitutional rule were suspended, and the bill read a first time, a second time by its title and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Carey, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Haughton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Lehman, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—96.

Those who voted in the negative were Messrs. Branyan and Swayzee—2.

So the bill passed.

The call of the roll was resumed.

Mr. Mathews introduced House Bill No. 179. A bill to amend section 15 of an act entitled "An act to provide for the general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws

inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 180. A bill to appropriate money for liquidating indebtedness of the State Normal School, and for fencing the grounds, and for incidental expenses for 1877 and 1878.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 181. A bill to confirm and legalize the corporate name and organization of the Rose Polytechnic Institute.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 182. A bill to require railroads to appoint an agent in each county in this State through which the same may run on whom service of process may be made, and providing for the mode of trial and punishment of the same for failing to appoint such agents.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 183. A bill providing for the organization and government of the State Prison, for the appointment of a Board of Directors to have charge thereof, to empower said Board or their appointees, to visit county or other prisons, and report thereon, to assist deserving convicts in procuring employment when discharged from prison, and for other matters pertaining to the discipline, management and wants of prison and convicts, and to repeal all laws and parts of laws inconsistent with the provisions of this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carr introduced House Bill No. 184. A bill to amend section 1 of an act to provide for the regulation of the running at large of all kinds of domestic animals within the different counties of the State, to provide for the taking up, impounding and selling of all such animals as shall not be allowed to run at large, approved May 31, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Overmyer introduced House Bill No. 185. A bill for the relief of persons whose property was taken, injured and destroyed, by the United States or State troops, under the command of Generals Hobson, Love, Wallace and others, while in pursuit of the rebel forces under John Morgan, in the year 1863.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Viehe introduced House Bill No. 186. A bill to amend section 249 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Riley introduced House Bill No. 187. A bill to amend section 53 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes," approved December 21, 1872, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Riley introduced House Bill No. 188. A bill to amend sections 1 and 2 of an act entitled "An act concerning interest on money, and to provide for recoupment of usurious interest," approved March 9, 1867, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Riley introduced House Bill No. 189. A bill to amend section 1 of an act entitled "An act regulating interest on judgments," approved February 5, 1873, and declaring an emergency.

Which was read a first time, and passed to a second reading, on to-morrow.

Mr. Kennedy of Rush, offered the following resolution :

Resolved by the House of Representatives, That the committee on federal relations, to which was referred a joint resolution relating

to the making of silver a legal tender, be requested to report thereon as early as possible.

Which was adopted.

Mr. Kennedy of Rush, presented a petition of sundry citizens of Indiana, asking that owners of animals shall keep such animals confined.

Which was read and referred to the committee on county and township business.

Mr. Kennedy, of Union, offered the following resolution :

WHEREAS, Alarming accidents and serious loss of life and property, are of almost daily occurrence on our railway thoroughfares ;

AND WHEREAS, Danger and loss might measurably be averted by judicious State and national legislation ;

Be it therefore resolved, That it is a duty imperative on the Legislature to give the matter due and careful consideration ; and further, to instruct our Senators and Representatives in Congress to favor such national legislation as will lead to a thorough examination of railroads, their machinery, bridges, competency of employes, etc.

Which was not adopted.

Mr. Dannettell presented a petition of certain land owners of Vanderburgh county, Indiana, asking the repeal of "An act providing for the enclosure of land subject to overflow," and declaring an emergency, approved March 1, 1875.

Which was read and referred to the committee on county and township business.

Pending the call of committees for reports, on motion of Mr. Priest, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

JANUARY, 18, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. N. A. Hyde, of the Congregational church.

The Journal of yesterday's proceedings was partially read, when, on motion by Mr. Hauss, the further reading of the Journal was dispensed with.

The order of business pending at adjournment was taken up, being reports from standing committees.

Mr. Viehe, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred House Bill No. 62, have had the same under consideration, and have substituted therefor a new bill entitled "An act to amend section 289 of an act entitled 'an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,'" approved June 18, 1852.

And your committee recommend the substitution and passage of such new bill.

Which was concurred in by the House and the new bill numbered 190, read a first time and passed to a second reading on tomorrow, and the old bill laid upon the table.

Mr. Viehe, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on the judiciary, to whom was referred House Bill No. 58 (with accompanying memorials) entitled "An act for the relief of William A. Jordan, former treasurer of Perry county, Indiana, Thomas J. Cutler, Frederick Connor, John T. Connor, Joseph Meyer, Hiram W. Simonds, Sam. K. Connor, Solomon Salm, John C. Shoemaker, William V. Reynolds, James Hardin, Adam Ackerman, Hamilton Smith, Jr., Frederick Hahn, Edward B. Cutler and Hiram Carr, sureties on the official bonds of the said William A. Jordan, treasurer as aforesaid, and to authorize the Auditor and Treasurer of State and the Auditor and Treasurer of Perry county to perform certain duties connected therewith, have given such bill thorough consideration, and have directed me to report it back to the House with a recommendation for its passage.

On motion of Mr. Viehe, further consideration of the report was postponed until to-morrow.

Mr. Langdon, from the committee on the judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to which was referred House Bill No. 41, entitled "An act declaring the effect of the repeal of the statutes," have given the same thorough consideration and have directed me to report the same back to the House, with the following amendment :

Strike out all after the enacting clause and substitute the following: Whenever an act is repealed which repealed a former act, such act shall not thereby be revived unless it shall be so expressly provided, and the repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute unless the repealing act shall so expressly provide, and such statute shall be treated as still remaining in force, for the purpose of sustaining any proper action, or prosecution for the enforcement of such penalty, forfeiture or liability.

And your committee recommend the passage of the bill as so amended.

The report of the committee was concurred in by the House, and the bill ordered to engrossed as amended.

Mr. Garver, from the committee on judiciary submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 48, entitled "An act to regulate the sale of mineral oils, and other substances for illuminating purposes, and providing a penalty for a violation of the provisions thereof," have had the same under consideration and have directed me to report the same back to the House, with the recommendation that it be referred to a select committee of five, to be appointed by the Speaker.

Which report was concurred in by the House, and the bill referred as recommended therein.

Mr. Baxter from the committee on judiciary submitted the following report :

MR. SPEAKER :

The committee on judiciary to whom was referred House Bill

No. 27, entitled "An act providing that deeds of conveyances shall contain an abstract of title," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do not pass.

Which report was concurred in by the House, and the bill laid upon the table.

Mr. Carlton from the committee on judiciary submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 49, entitled "An act in relation to the assessment and taxation of land, and the refunding of the taxes paid thereon," have had the same under consideration, and have directed me to report the same back to the House, recommending that said bill do pass.

Which report was concurred in by the House, and the bill ordered to be engrossed.

Mr. Marsh, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 76, entitled "An act to abolish the Twenty-seventh Judicial Circuit and the Criminal Circuit courts therein, and to confer jurisdiction in criminal cases upon the civil courts of Floyd county and Clark county, and to transfer all causes pending in said Criminal Circuit courts to said Civil Circuit courts," and declaring an emergency," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do pass.

Which report was concurred in by the House, and the bill ordered to be engrossed.

Mr. Marsh from the committee on judiciary submitted the following :

MR. SPEAKER :

I am directed by the committee on judiciary to report back House Bill No. 69. An act to amend section 455 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction

between law and equity," approved June 18, 1852, and declaring an emergency, with the recommendation that the bill be indefinitely postponed.

Which report was concurred in by the House, and the bill indefinitely postponed.

Mr. Garver from the committee on the organization of courts submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts to whom was referred House Bill No. 12, entitled, " A bill to amend sections 102, 107, 108, 125 and 270, and to repeal section 276 of an act entitled, ' an act to provide a uniform assessment of property and for the collection and return of taxes thereon, approved December 21, 1872,' " have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be amended as follows, to-wit :

That sections 3 and 5 be stricken out. And said committee further directed that said bill when so amended do pass.

Mr. Peelle from the same committee submitted the following report :

MR. SPEAKER :

We, whose names are hereunto attached, being members of the House committee on the organization of courts, being a minority of said committee, and disagreeing with the majority report, beg leave to recommend that House Bill No. 12, entitled " A bill to amend sections 1 and 3 of an act entitled 'an act to amend sections 102, 107, 108, 125 and 270,' and to repeal section 276 of an act entitled 'an act to provide a uniform assessment of property, and for the collection and return of taxes thereon,' " approved December 21, 1872, do pass without amendment.

Mr. Crumpacker moved to indefinitely postpone the bill, and both reports.

Mr. Langdon demanded a division of the question, which was ordered, and the question being upon the indefinite postponement of the minority report.

Mr. Peelle moved to lay the motion to postpone upon the table.

Which was not agreed to.

And the question recurring upon the motion to postpone the

minority report, the ayes and noes were demanded by Messrs. Compton and Langdon, whereupon

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Benz, Branyan, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McCarty, McGaughey, Perigo, Rea, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Warrum, Yaryan, Zehring and Zimmerman—77.

Those who voted in the negative were Messrs. Adams, Ames, Austin, Carlton, Compton, Foster of Allen, Foster of Monroe, Freeman, Hall, Henderson, Lane, Oglebay, Peelle, Reno, Wells and Mr. Speaker—16.

So the minority report was indefinitely postponed.

The question recurring upon the indefinite postponement of the majority report, it was so ordered to be postponed by the House, and the question now recurring upon the indefinite postponement of the bill, the ayes and noes were demanded by Messrs. Adams and Johnson of Carroll; whereupon,

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Butler, Carey, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Fromm, Girton, Gossman, Harper, Hatfield, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Morgan, Morrison, McCarty, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thomson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Warrum, Yaryan, Zehring and Zimmerman—67.

Those who voted in the negative were Messrs. Adams, Albert, Austin, Branyan, Bumgarner, Carlton, Compton, Conley, Craft, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Hauss, Henderson, Hulet, Lane,

Langdon, Moorman, McGaughey, Oglebay, Peelle, Reno, Spencer, Thompson of Elkhart, Wells and Mr. Speaker—32.

So the bill was indefinitely postponed.

Mr. Peele, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 30, "An act providing for the election and qualification of justices of the peace," have had the same under consideration, and have directed me to report the following amendment to sections 1 and 8 of "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved January 9, 1852, as a substitute for said House Bill No. 30, with the recommendation that said substitute do pass.

Mr. Chawner moved that the report and bills be referred to the committee on judiciary, which was agreed to by the House.

Mr. Collins, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 13, entitled "An act to amend sections 19 and 20 of an act entitled 'an act defining felonies, and prescribing punishment therefor,'" approved June 10, 1852, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in by the House and the bill ordered to be engrossed.

Mr. Cole, from the committee on the organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 9, an act to amend section 70 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of Common Pleas, and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, have had the same

under consideration, and have directed me to report the same back to the House with the following recommendations:

That the words "to-wit" in line 27 of section 1 of this bill be stricken out and the number "section 70" be inserted in lieu thereof.

And further, that the same when so amended, do pass.

Which report was concurred in by the House and the bill ordered to be engrossed.

Mr. Compton, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts to whom was referred House Bill No. 61, an act to amend an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such court and the compensation of such Reporter," approved March 13, 1875, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in by the House and the bill ordered to be engrossed.

Mr. Yaryan from the committee on the organization of courts submitted the following report:

MR. SPEAKER:

The committee on the organization of courts to whom was referred House Bill No. 18, entitled, "An act to amend section 397 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,'" approved June 18, 1852, have had the same under consideration and have directed me to report the same back to the House, with the recommendation that it do not pass.

Mr. Peelle from the committee on the organization of courts submitted the following minority report:

MR. SPEAKER:

We, whose names are hereunto attached, being members of the House committee on the organization of courts, being a minority of said committee and disagreeing with the majority report, beg leave to recommend that House Bill No. 18, entitled, "An act to amend

section 397 of an act entitled, 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,' approved June 18, 1852, do pass.

Pending which on motion of Mr. Viehe, the House adjourned.

AFTERNOON SESSION,

THURSDAY, January 18, 1877.

The House met, with the Speaker in the chair.

The consideration of the minority report on House Bill No. 18, pending on adjournment, was resumed, and Mr. Yaryan moved that the bill, with the majority and minority reports, be referred to a special committee of five.

Mr. Garver moved to refer the bill and reports, and all future bills touching the question referred to in this bill and reports, to the committee on judiciary.

Mr. Morgan moved to lay both motions on the table.

Mr. Kennedy of Rush, asked a division of the question.

The question being upon the motion to refer to the committee on judiciary.

The motion was laid upon the table.

And the motion to refer to a select committee was also laid upon the table.

Mr. Carson moved that the bill and both reports be indefinitely postponed.

Which was not agreed to, and the question recurring upon the adoption of the minority report.

The ayes and noes were demanded by Messrs. Oglebay and Henderson; whereupon,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Baxter, Branyan, Bumgarner, Butler, Carey, Carr, Carson, Chawner, Claypool, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen,

Foster of Monroe, Freeman, Fromm, Girton, Gossman, Guthrie, Harris, Haughton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Little, Lockhart, Madden, Mathews, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Zering and Zimmerman—74.

Those who voted in the negative were Messrs. Ashby, Askren, Benz, Carlton, Coffman, Cole, Collins, Compton, Garver, Grubbs, Hall, Hatfield, Henderson, Johnson of Dearborn, Langdon, Lanhams, Lehman, Marsh, Merryman, Paige, Riley, Spencer, Viehe, Welborn and Mr. Speaker—25.

So the minority report was adopted and the majority report was laid on the table and the bill ordered to be engrossed.

Mr. Compton, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 86, being an act to amend section 1 of an act entitled "An act authorizing the employment of short-hand reporters for certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing the duties and compensation of such reporters," approved March 10, 1875, and declaring an emergency, have had the same under consideration, and would respectfully recommend the following substitute after the enacting clause of such bill so referred to us, and we recommend that said bill as amended do pass.

Which report was not concurred in by the House and the bill was laid upon the table.

Mr. Oglebay, from the committee on prisons, submitted the following report .

MR. SPEAKER :

Your committee on prisons having at heart the welfare of the people, and a desire to properly and correctly to look after and care for the interests of the State to them intrusted, respectfully present the following resolution to the House and ask its adoption :

WHEREAS, It will be necessary, in order that the committee on prisons may make a thorough examination of the books, accounts and business affairs of said prisons, that they have the assistance of

an expert in the examination of books and accounts ; therefore, be it

Resolved by the House of Representatives, That the committee on prisons be instructed and are hereby authorized, if they shall deem it necessary, to procure a first class expert in the examination of books and accounts to accompany said committee, when they visit the prisons. The pay of said expert shall not exceed the per diem of the members of this General Assembly, and shall be for what time he shall be in the employ of that committee.

The committee, with the assistance of said expert, shall make a thorough examination of the books, accounts and papers of said prisons, and that they be further instructed to inquire into the management and treatment of prisoners, and also as to the sanitary condition, and for that purpose they be granted leave of absence on and after Monday, January 22, 1877.

The report was concurred in, and the resolution adopted.

Mr. Hubbard, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee, to which was referred House Bill No. 67, entitled "An act fixing the per diem and mileage of witnesses in Justices' courts, and other matters properly connected therewith, and declaring an emergency," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be laid upon the table.

Which was concurred in by the House, and the bill laid upon the table.

Mr. Hubbard, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee on fees and salaries, to which was referred House Bill No. 23, entitled "An act to amend the section 27 of an act entitled 'an act fixing the fees, salaries, duties and compensation of the officers and persons named therein,' and prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1876, have had the same under consideration, and have directed me to report the same back to the House with the following amendment: Insert after the close of section 1 the following: "*Provided,* That the party subpoenaing more than three witnesses to testify in a civil case to the same fact, shall pay the cost of all over three;" that

said bill when so amended do pass. I am also directed to report that said amendment was taken from House Bill No. 67, by Mr. Benz.*

Which was concurred in by the House and the bill ordered to be engrossed.

Mr. Morgan from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges have had under consideration House Bill No. 44, entitled, "An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements and articles of obscene and immoral use, and articles for procuring abortion, repealing all laws in conflict herewith," and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in by the House, and the bill ordered engrossed.

Mr. Morgan from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 88, entitled, "An act to amend section 2 of an act concerning inclosures, trespassing animals and partition fences," approved June 4, 1852, have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it pass.

Which report was concurred in by the House, and the bill ordered engrossed.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

The committee on engrossed bills report that they have examined House Bills Nos. 4, 1, 16, 5 and 39, and find them correctly engrossed.

Mr. Foster of Monroe, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred

House Bill No. 90, entitled "An act relating to the rights of married women, and matters properly connected therewith," have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it lie on the table.

Mr. Yaryan moved that further consideration of the report be postponed until next Tuesday at 2 o'clock, P. M., and made the special order for that hour.

Which was agreed to.

Mr. Carson, from the committee on rights and privileges, submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges have had under consideration House Bill No. 52, entitled "An act to define the time and persons by whom quails may be netted or trapped, fixing the penalty for violation of this act, and repealing all laws inconsistent herewith; and have directed me to report the same back to the House with the recommendation that the same be amended by striking out the words "net or," in the fourth line, and the words "netting or" in the eighth line of the first section of said act. When so changed we recommend that it do pass.

Mr. Hall moved to recommit the bill with the following instructions, to amend the bill so that it shall provide as follows: "That it shall be unlawful to shoot, trap, net, kill or destroy quails in this State for a period of five years from and after the passage of this act."

Mr. Morrison moved to lay the motion to recommit with instructions upon the table.

Which was not agreed to, and the motion to recommit with instructions was adopted by the House.

Mr. Compton from the committee on rights and privileges submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges of the inhabitants of the State of Indiana, to whom was referred House Bill No. 54, entitled "A bill to amend an act entitled 'an act to provide for the redemption of real property or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith,'" approved June 4, 1861, have had the

same under consideration, and have directed me to report that we recommend that it do lie upon the table.

Which was concurred in by the House, and the bill laid upon the table.

Mr. Ashby, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges have had under consideration House Bill No. 114, entitled " An act to remove from married women all disabilities to contract, authorizing them to sue and be sued, and defining their liability on their contracts, repealing all laws in conflict," and have directed me to report the same back to the House, with the recommendation that it lie upon the table.

Which, on motion by Mr. Viehe, was made the special order for Tuesday next, at 2 P. M.

Mr. Morrison, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges of the inhabitants of the State of Indiana, have had under consideration a bill to amend section 1 of "An act to provide for the regulation of the running at large of all kinds of animals within the different townships in the different counties of the State, and to provide for the taking up, impounding and selling of all such animals as shall not be allowed by law to run at large," approved May 13, 1852, and have directed me to report the same back to the House with the recommendation that it lie upon the table.

Which was concurred in by the House and the bill laid upon the table.

Mr. Morrison, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges have had under consideration House Bill No. 17, an act to prevent evasions and misconstructions of laws for the government and responsibilities of railroad corporations, to provide the means of redress and punishment for wrongs and injuries committed by them, have had the same under consideration, and recommend that it be indefinitely postponed.

Which was concurred in and the bill indefinitely postponed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges have had under consideration House Bill No. 98, entitled "An act to regulate the hanging of doors to the entrances of theaters, opera houses, public houses, museums, churches, colleges, seminaries and school buildings", and have directed me to report the same back to the House with the recommendation that it do pass.

On motion by Mr. Morgan, further consideration of the report was postponed until Wednesday next, at 2 P. M.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business have had under consideration amendments to House Bill No. 46, moving to strike out all of Bill No. 46 except the enacting clause and title, and making substitutes therefor, and have directed me to report it back to the House with the recommendation that it do not pass.

Which report was not concurred by the House, and the bill and amendments recommitted to the committee on county and township business.

Mr. Leeper, from the committee on temperance, to which was referred House Bill No. 19, introduced by Mr. Carlton, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be indefinitely postponed.

Which was concurred in by the House, and the bill indefinitely postponed.

Mr. Dannettell, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to which was referred House Bill No. 72, entitled "An act to legalize the official acts of the several boards of trustees of the town of Portland, Jay county, Indiana, and the official acts of each and every officer of said town, from the date of March 6, 1875, as under 'an act for the incorporation of towns, and defining their powers, providing for the election of officers and declaring their duties,'" approved June 11, 1852, have

directed me to report that they have had the same under consideration, and do recommend the passage of the same.

Which was not concurred in by the House, and the bill and report recommitted to the committee on cities and towns.

Mr. Warrum, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred a resolution of Mr. Hulett, in regard to certain changes in the election of township trustees, etc., have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it is not advisable to make any such change at present.

Mr. Foster of Monroe from the committee on cities any towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns have had under consideration House Bill No. 50, entitled "An act authorizing cities and incorporated towns to change and re-form their boundaries so as to exclude therefrom lots or tracts of land not laid out in lots, and have directed me to report the same back to the House, with the recommendation that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns have had under consideration House Bill No. 51, an act to enable cities and incorporated towns to use the surplus special school funds belonging to such corporations for the payment of indebtedness created in the erection and completion of school buildings, and in the purchase of any ground or building for school purposes, and have directed me to report the same back to the House with the recommendation that it do pass, with the accompanying amendments.

Which report was concurred in by the House and the bill ordered to be engrossed.

Mr. Garver moved a reconsideration of the vote by which Mr. Thomas' resolution for an investigation of charges made against the

Judges of the Supreme Court was laid upon the table on yesterday.

Mr. Collins moved that the motion to reconsider be laid upon the table.

The ayes and noes being demanded by Messrs. Garver and Lanham,

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Austin, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Monroe, Fromm, Girton, Gossman, Hatfield, Hoffman, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Lehman, Madden, Mathews, Merriman, Paige, Perigo, Spencer, Stewart, Viehe and Zehring—33.

Those who voted in the negative were Messrs. Adams, Ames, Baxter, Benz, Branyan, Bumgarner, Butler, Carey, Carr, Chawner, Claypool, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Hauss, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Marsh, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Yaryan, Zimmerman and Mr. Speaker—66.

So the motion to lay the motion to reconsider upon the table did not prevail, and the motion to reconsider was agreed to by the House, and the question recurring upon the adoption of the resolution, Mr. Craft offered the following motion :

That the resolution be referred to the committee on judiciary with instructions to report at their earliest convenience as to whether there is sufficient grounds to order an investigation.

Which motion Mr. Scott moved to lay upon the table, pending which, on motion of Mr. Gossman, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

JANUARY 19, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. Rufus D. Black, of the Third Street Methodist Episcopal Church.

The Journal of yesterday's proceedings was read and approved.

The House resumed the consideration of the motion of Mr. Scott to lay the motion of Mr. Craft upon the table, pending on adjournment yesterday.

Mr. Craft withdrew his motion.

Mr. Lane moved the previous question, but was not seconded by the House.

Mr. Peelle offered the following as a substitute for the original resolution :

WHEREAS, There have appeared from time to time through the columns of the public press, and otherwise, charges in tenor and effect as follows: That the Judges of the late Supreme Court of this State had expended, or caused to be expended, money unnecessarily and in violation of law and sound judicial discretion while members of said court ;

AND WHEREAS, We believe that the Supreme Court of this State should not only be composed of men of sterling integrity, but men who will exercise wisdom in the use and expenditure of money on behalf of said court, and by their judicial acts and obedience to the principles of economy set an example to the people which shall be worthy of imitation ;

AND WHEREAS, We believe in such legislation as will promote economy in the expenditure of public money in all departments of the public service, to the end that honesty may supercede the wisdom of legislation about such matters as would otherwise properly come within the province of sound judicial discretion. Therefore,

Be it resolved, That a committee of five be appointed to investigate as to the amount of money expended, and for what purpose, by the Supreme Court of this State from and after the year 1864, with a view of ascertaining what legislation, if any, may be necessary to curtail the expenses of such court.

Be it further resolved, That for the purpose of enabling said committee to fully investigate the charges so made, and for the purpose of ascertaining the expenses of said court as aforesaid, they are hereby empowered to call to their aid and assistance such persons, or to examine such books and papers as may, in their judgment facilitate such investigation ; and when completed to report the facts of such investigation to this House, with such recommendations as in their judgment may be for the public good.

Which substitute was adopted by the House.

Mr. Foster of Monroe from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee to whom was referred Joint Resolution No. 8, concerning the annexation of certain territory to Michignn City, Indiana, have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do pass.

Which was concurred in by the House.

By unanimous consent the order of business was suspended, and Mr. Oglebay introduced Joint Resolution No. 12.

A joint resolution on counting the electoral vote.

Which under the rule, was referred to the committee on federal relations.

The order of business was resumed.

Mr. Foster of Monroe from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 120, entitled " An act to legalize the act of the Common Council of the city of Greencastle, in Putnam county, in the annexation of a certain addition to said city, and legalizing the acts of said Common Council, and the officers of said city over said addition, and all matters pertaining thereto," have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Which report was concurred in by the House.

Mr. Priest moved that the order of business be suspended, the bill considered engrossed and put upon its passage.

Which was agreed to, the bill read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crum-packer, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster Monroe, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.

—95.

Mr. Branyan voting in the negative.

So the bill passed.

The order of business was resumed.

Mr. McGaughey, from the committee on cities and towns, submitted the following report :

MR. SPEAKER:

Your committee on cities and towns, to whom was referred House Bill No. 70, entitled “ An act to legalize the election held in the year 1875, in the town of Eaton, Delaware county, Indiana, and to legalize the official acts of the board of trustees of said town, for said year, and to legalize the acts of all other officers of said corporation for said year, under ‘an act for the incorporation of towns, and defining their powers, providing for the election of officers thereof, and declaring their duties,’ approved June 11, 1852, and to legalize all by-laws, rules, regulations and proceedings of said board of trustees, and said other officers, adopted in pursuance thereof,” have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Which was concurred in by the House, and the bill ordered engrossed.

Mr. Koonts presented a remonstrance of certain citizens of

Portland, Jay county, Indiana, against legalizing the acts of the trustees of said town.

Which was read and referred to the committee on cities and towns.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the resolution of Mr. Coffman asking for information as to the number of miles of public highways in the State subject to commutation labor, the number of days of labor thereon annually, the amount per mile required to keep such highways in repair, and the amount fifteen cents on the one hundred dollars would produce the same, report as follows :

Number of public highways in the State, 60,000 ; number of days of labor on highways, 1,503,548 ; amount required to keep public highways in repair per mile, \$40.00 ; fifteen cents on the one hundred dollars of taxable property would produce annually \$1,297,080.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 35, entitled "An act to amend sections 10, 64 and 70 of an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, and declaring an emergency," have had the same under thorough consideration, and have directed me to report the same back to the House with the following recommendations :

1. That the bill be amended by striking out the second section.
2. That when so amended, your committee recommend the passage of the bill.

Which report was concurred in by the House, and the bill ordered to be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 38, a bill to amend sections 132 and 374 of an act entitled "An

act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of practice and pleading without distinction between law and equity," approved June 18, 1852, have given such bill a thorough consideration, and have directed me to report it back to the House with the following recommendations:

1st. That the bill be amended by striking out from section 1 all between the word "found" in line 24, page 1, and the words "and if the property claimed," and inserting in place thereof the following, to-wit: "and if the defendant or some person in his behalf, within twenty-four hours thereafter, shall execute a written undertaking, payable to the plaintiff with sufficient surety to be approved by the Sheriff, to the effect that the defendant shall safely keep the property, that the same shall not be in any way injured or damaged, and that he will deliver the same to the plaintiff if judgment shall be rendered to that effect, and also that he will pay to the plaintiff all such sums of money as he may recover in the action, then the Sheriff shall deliver the property to the defendant; but if such undertaking is not given within the time aforesaid, then the Sheriff shall deliver the property to the plaintiff, on receiving from him or some person his behalf, within twenty-four hours thereafter a written undertaking payable to the defendant, with sufficient surety to be approved by the Sheriff, to the effect that the plaintiff will prosecute his action with effect and without delay, and that he will return the property to the defendant, if return be adjudged by the court, and that he will pay to the defendant all such sums of money as may be recovered against him in the action for any cause whatever, and in default of the undertaking being given, the property shall be returned to the defendant, but the action shall not be dismissed or delayed thereby.

2d. That the second section of such bill be amended by striking out the words "in his answer," and the words "and the cause is tried," and when so amended, your committee direct me to recommend the passage of the bill.

Which report was concurred in by the House, and the bill as amended ordered to be engrossed.

The Speaker announced the order of business to be the call of the roll of counties for the introduction of bills, resolutions, etc., whereupon,

Mr. Spencer presented a petition of citizens of Adams and Wells counties, praying an amendment of the liquor law.

Which was read and referred to the committee on temperance.

Mr. Austin introduced House Bill No. 191. A bill to amend sections 4, 6 and 7 of an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such court, and for the compensation of such Reporter," approved March 13, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster, of Allen, introduced House Bill No. 192. A bill to provide for the management and control of public highways, and to provide free gravel and macadamized roads, and the management and control thereof, and repealing all laws in conflict with this act, and declaring an emergency for the immediate taking effect thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lane, from the committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills have examined Senate Act 103 and report the same correctly enrolled.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives Enrolled Senate Act No. 103 for the signature of the Speaker thereof, and the same is herewith submitted.

The Speaker announced that he had signed Enrolled Senate Act No. 103.

Leave of absence was granted to Mr. McCarty until Tuesday morning, Mr. Hauss until Wednesday morning, and Mr. Welborn until Wednesday morning.

By unanimous consent Mr. Lane offered the following resolution, which was adopted by the House : -

Resolved, That the Doorkeeper be instructed to procure from the Secretary of State, and place upon the desks of the members of the House of Representatives, the number of copies of the reports of the

Superintendents of the Insane and Blind Asylums and the State officers for 1875, and the reports of the Prison Directors, designated by law.

Pending the call of the roll of counties, at the county of Allen, on motion of Mr. Lanham the House adjourned.

AFTERNOON SESSION.

FRIDAY, January 19, 1877.

The House met, with the Speaker in the chair.

The Speaker announced the appointment of the following select committee upon House Bill No. 48: Messrs. Coffman, Elwell and Foster of Allen.

Leave of absence was granted to Mr. Hatfield until to-morrow, and to Messrs. Davis, Spencer and Scott until Tuesday.

Mr. Henderson moved that the order of business be suspended, and the Senate concurrent resolution establishing the pay of Pages at \$2 per day be taken up.

Which was agreed to.

Mr. Henderson moved to amend by making the pay \$2.50 per day.

Mr. Scott moved to refer the resolution to the committee on fees and salaries.

Mr. Gossman moved to lay the motion to refer upon the table.

Which was agreed to by the House.

Mr. Freeman moved to amend Mr. Henderson's amendment by making the pay three dollars per day.

On Mr. Reno's motion, the amendment to the amendment was laid upon the table, and the question recurring upon Mr. Henderson's amendment to the resolution,

Mr. Crumpacker moved that it be laid upon the table.

Which was not agreed to.

The question being upon the amendment, the ayes and noes were demanded by Messrs. Craft and Thompson of Elkhart, whereupon,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Branyan, Bumgarner, Cary, Carlton, Cole, Compton, Conley,

Cooley, Elwell, Foster of Monroe, Hall, Henderson, Hubbard, Johnson of Carroll, Kennedy, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Merryman, McGaughey, Paige, Sailors, Scott, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Wells, Warrum and Mr. Speaker.—39.

Those who voted in the negative were Messrs. Ashby, Askren, Austin, Baxter, Benz, Butler, Carr, Carson, Claypool, Coffman, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Houghton, Highway, Harper, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Madden, Moorman, Morrison, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Stewart, Thompson of Howard, Whitehead, Yaryan, Zehring and Zimmerman—50.

So the amendment was not agreed to, and the question recurring upon the passage of the resolution, the ayes and noes were demanded by Messrs. Freeman and Reno, whereupon

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Haughton, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Leeper, Little, Lockhart, Madden, Moorman, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Spencer, Stewart, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Freeman, Henderson, Hubbard, Koontz, Lanham, Lehman, Merriman, Scott, Swayzee and Thomas—10.

So the resolution was adopted, and the Principal Clerk of this House directed to inform the Senate thereof.

The Speaker laid before the House the following communication from the Attorney General:

MR. SPEAKER:

I have the honor to acknowledge the receipt of a copy of the

resolution adopted by the House of Representatives of the State of Indiana, on yesterday, which reads as follows, to-wit :

WHEREAS, At the last regular session of the Legislature the House of Representatives appointed a special committee to investigate the number and pay of the employes of the House, and said committee reported that several persons were holding positions not provided for by law, and recommended the dismissal of all such persons ;

AND WHEREAS, Upon the report of said committee, a resolution passed said House of Representatives instructing the Attorney General to institute suit for the recovery of money alleged to have been illegally drawn from the treasury by said employes ;

AND WHEREAS, Said House of Representatives afterwards passed a resolution implying doubt as to the propriety of such suit, ordering the report of said committee to be stricken from the Journal, and leaving the entire matter with the Attorney General, to take such action as the facts and the law might warrant ; therefore be it,

Resolved, That the Attorney General be and hereby is respectfully requested to furnish this House with such information concerning the law and the facts in this case, as may be in his possession, and that he be requested to report to the House, at his earliest convenience, what action if any, he has taken in the matter, what amount of money, if any, he has recovered from said employes or any of them, and what amount, if any, is still due from them or any of them, to the State.

In answer to the foregoing, I have the honor to state that I looked into the matter referred to carefully, soon after said resolution was adopted, and concluded to take no action in the premises, unless directed so to do by the Legislature. My reasons, briefly stated, were as follows :

1st. The employes referred to I understood to be without property, so that if a judgment were obtained it could not be collected by process of law, and they declined to make voluntary payment upon my demand.

2d. I doubt the equity of compelling them to pay back the money under the circumstances, and preferred that the House should decide that question itself, as I very respectfully suggest the propriety of the present House now doing, for the following reasons :

That I understood that the employes referred to rendered competent services to the State in good faith, under what they understood,

and reasonably had a right to understand, as valid employment by competent officers of the House, and accordingly devoted their time to such employment, and paid out their money for board during the time, the same as if their employment had been in strict conformity with the law.

Permit me to add that my information is that the said claims are in fully as good condition for compulsory collection, as they ever have been, and that I respectfully await the order of the Legislature in the premises.

Mr. Johnson of Carroll, offered the following resolution, which was adopted :

WHEREAS, Upon the youth of our State depends the future prosperity of our commonwealth ;

AND WHEREAS, Their efficiency for good depends in a great measure upon moral discipline and intellectual culture ; therefore,

Be it resolved by the House of Representatives, That we look with pride upon the educational institutions of our State, and will favor every reasonable means that shall tend to advance them to a higher scale of prosperity.

Mr. Bumgarner presented remonstrances from citizens of Cass county against the establishment of a Superior Court in said county.

Which were laid upon the table without reading.

Mr. Bumgarner offered the following resolution :

Resolved, That a committee of three be appointed with instructions and authority to secure the best possible ventilation and means of heating this hall as speedily as the arrangements therefor and the work required can be completed.

The resolution was not adopted.

Mr. Kennedy of Rush, by unanimous consent offered the following resolution :

WHEREAS, It is published in the newspapers of this city, and several of the newspapers of the cities of Cincinnati and Chicago, of almost world-wide circulation, that Clarence Buskirk, the Attorney-General of the State, and several members of this General Assembly, were arrested in a gambling house in this city a few nights ago, convicted and fined before the Mayor for violations of the gambling laws of the city and the State ;

AND WHEREAS, The Attorney-General is one of the chief law officers of the judicial department of the State, and each member of

the Legislature a component part of the law-making power of the State;

AND WHEREAS, Example is of more force in society than precept;

AND WHEREAS, Such charges subject both the Judiciary and the Legislature to the disrespect if not the contempt of all lovers of morality and good order of society; therefore,

Resolved, That a committee of three be appointed to investigate such charges, with power to send for persons and papers, and report the result to this House.

Mr. Grubbs moved to lay the resolution upon the table.

Messrs. Carson and Baxter called for the ayes and noes; whereupon,

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Austin, Benz, Bumgarner, Cary, Carlton, Coffman, Compton, Conley, Cook, Cooley, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Grubbs, Guthrie, Hall, Henderson, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Merriman, McGaughey, Oglebay, Paige, Priest, Rea, Reno, Reiley, Scott, Spencer, Thomson of Elkhart, Thomson of Howard, Viehe, Whitehead, Wells, Warrum, Zehring and Mr. Speaker—48.

Those who voted in the negative were Messrs. Ames, Baxter, Branyan, Butler, Carr, Carson, Claypool, Cole, Copeland, Craft, Crumpacker, Davis, Elwell, Freeman, Garver, Gossman, Harris, Houghton, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Little, Lockhart, Madden, Moorman, Morrison, Peelle, Perigo, Sailors, Stewart, Swayzee, Thomas, Thompson of Miami, Yaryan and Zimmerman—40.

So the resolution was laid upon the table.

Mr. Gossman offered the following concurrent resolution:

WHEREAS, It is the firm conviction of a majority of over a quarter of a million of all the voters of these United States, together with a large number of honest men in the Republican and Independent parties, that Samuel J. Tilden and Thomas A. Hendricks have been fairly elected to the office of President and Vice-President of these United States; be it therefore

Resolved by the House of Representatives of the State of Indiana,

the Senate concurring, That there is no honest way of preventing the legal declaration of that fact.

Resolved, That should the result of the Congressional investigations now in progress, be to prove that our belief is not well founded, we must, and will, as law-abiding citizens, quietly accept that result.

Resolved, That should these investigations confirm our convictions, as we believe they will, then, while never ourselves overstepping the limits of our bulwark, namely, the Constitution and laws, and using firmly and vigorously every power they (the Constitution and laws) give us, we should openly declare that no Democrat, and no other person, whatever his party affiliations may be or may have been, who loves the Constitution, the laws, and the liberty, peace, freedom, tranquility and prosperity better than party, acquiesce in a decision reached by chicanery, fraud and force.

Resolved, That we are in favor of a peaceable solution of all political questions, but this desire on the part of the Democratic and conservative citizens for peace and good order in all things, must not be taken as a conclusion that they will quietly submit to wrong, outrage and usurpation, for we believe in the expression made ehe honest and patriotic Abraham Lincoln was elected, "A people strong enough to elect a President honestly and constitutionally is powerful enough to inaugurate him triumphantly."

Resolved, That we will stand by the Democratic and conservative members of Congress in all measures which the occasion may demand in any effort to maintain the purity and integrity of the Constitution of the United States and the constitutions of the several States.

Resolved, That we will, as one member, uphold and support Congress in placing in power and position the President and Vice-President duly, fairly, honestly and legally elected, whether they be Tilden and Hendricks or Hayes and Wheeler.

Resolved, That we believe the prosperity, freedom and liberty of our government depends upon the faithful observance of these principles of honesty, purity, and justice. We therefore invite co-operation of all law-abiding citizens, irrespective of party.

Which under the rule was referred to the committee on federal relations.

Mr. Gossman offered the following resolution :

WHEREAS, It has been gravely charged for years that there were

great irregularities in Governor R. P. Morton's administration, while Governor of the State of Indiana; and

WHEREAS, No General Assembly of the State of Indiana during and since Governor Morton's administration has had the interest of the people of the State of Indiana so much at heart as the present one; and

WHEREAS, It is the unanimous wish and desire of the members of this House to investigate any and all irregularities which have or may have occurred in any department of our State government from the year 1860 to the year 1876, inclusive; therefore, be it

Resolved by the House of Representatives of the State of Indiana, That the special committee of five appointed or which may be so appointed, by the Chair in pursuance of a resolution offered heretofore for the purpose of investigating the charged irregularities of the late Supreme Judges, be and the same is hereby instructed to investigate and examine into the doings and conduct of every State officer of the State of Indiana since the year 1860, for the sole purpose of exposing the rascality, chicanery, fraud and corruption, mildly called irregularities, practiced or charged to have been practiced during that period of time.

Mr. Compton moved that the resolution be laid upon the table.

The ayes and noes were demanded by Messrs. Gossman and Johnson of Carroll.

Those who voted in the affirmative were Messrs. Adams, Ames, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Coffman, Cole, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Lehman, Little, Lockhart, Merriman, Moorman, Morrison, McGaughey, Oglebay, Paige, Peelle, Rea, Riley, Sailors, Scott, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thomson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—68.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Claypool, Conley, Foster of Allen, Fromm, Gossman, Koontz, Madden, Perigo and Stewart—17.

So the resolution was laid upon the table.

Mr. Albert offered the following resolution, which was adopted:

WHEREAS, In the message of His Excellency Thomas A. Hendricks, Governor of the State of Indiana, the financial exhibition of the various benevolent and reformatory institutions of the State in comparison with the conduct and expenditure of others, which cannot, by any itemized exhibition of fact or figures, be justified, and which exhibition of expenditure on the part of various institutions are astonishing and excessive in amount when compared with institutions of a similar character; therefore be it

Resolved, That the committee on benevolent and reformatory institutions of the House be and are hereby instructed to make a thorough investigation of all the facts connected with the various benevolent and reformatory institutions of the State of Indiana, including the financial expenditure for all work, labor or purchase, itemized, and investigating the mode of contract and mode of expenditure; and be it further

Resolved, That said committee be and they hereby are empowered to employ an expert accountant to make a thorough investigation of all books, accounts and papers connected with the management of said institutions; be it further

Resolved, That the said committee be and are hereby authorized and empowered to send for such parties, books, papers and records as will facilitate a thorough and complete investigation of the affairs of the various benevolent and reformatory institutions of this State; the committee to meet at such place where, in their opinion, the most complete success of the committee may be had, without additional expense to the State.

Mr. Albert introduced the following resolution:

Resolved, That the committee on ways and means be instructed to inquire into the expediency of providing by law for the exemption from seizure and sale for taxes three hundred dollars worth of property to the head of each family, or householder, the same as now exempt from seizure and sale on execution against debtors, and that said committee give this matter an early consideration, and report by bill or otherwise.

The resolution was not adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives

that the Senate has passed the following concurrent resolution, to-wit:

Resolved by the Senate, the House concurring therein, That the chairman of the Senate and House committees on State prisons be and they are hereby authorized, if they shall deem it necessary, to jointly procure the services of a first class expert and accountant at an expense of not more than five dollars per day and expenses, to assist in the examination of books and accounts of said prisons when they shall visit the same, and with the aid of such expert and accountant to make a thorough and searching investigation of the books, accounts, and business of said prisons, and that the said committees are further instructed to make a thorough investigation into all the business management and affairs of said prisons and treatment of the prisoners, and also to their sanitary condition, and for that purpose the committee are hereby authorized to send for persons and papers, and to administer oaths by their chairmen, and to examine the prisoners and officers of the prisons in relation to all matters involved in their investigation.

And the same is hereby submitted to the House for its action thereon.

Also, that the Senate has passed Engrossed House Bill No. 120, as follows: "A bill to legalize the acts of the Common Council of the city of Greencastle, in Putnam county, in the annexation of certain additions to said city, and legalizing the acts of said Common Council and the officers of said city over said addition, and all matters pertaining thereto." And the same is herewith submitted to the House of Representatives for enrollment.

Mr. Cook introduced House Bill No. 193. A bill to repeal section 1 of an act entitled "An act to amend section 205 of 'an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,'" approved December 21, 1872, and March 16, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Bumgarner introduced House Bill No. 194. A bill to amend sections 3 and 4 for an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others;" and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall

be so construed as to conflict with the provisions of an act entitled 'an act for the protection of sheep,' approved June 15, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Bumgarner introduced House Bill No. 195. A bill legalizing dissections of human bodies for anatomical and surgical study, providing the manner of obtaining material for such dissection and penalties for violation of its provisions.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 196. A bill regulating interest on money contracts, judgments and accounts, and providing for recoupment set off, and the recovering back of illegal interest, and repealing all other laws and parts of laws coming in conflict with this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Paige introduced House Bill No. 197. A bill for the relief of temporary poor, providing for the expense thereof, prescribing certain duties of township trustees, repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Paige introduced House Bill No. 198. A bill prescribing the rights of widows and children in certain cases, defining the duties of executors and administrators in relation thereto, repealing all laws in conflict with their acts, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Paige introduced House Bill No. 199. A bill to amend section 9 of an act entitled "An act to enable the owners of wet lands to drain and reclaim them where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith," approved March 11, 1867.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Paige introduced House Bill No. 200. A bill to amend section 11 of an act entitled "An act to regulate and license the sale of

spirituous, vinous and malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all former laws regulating the sale of intoxicating liquors and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof and declaring an emergency," approved March 17, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Benz introduced House Bill No. 201. A bill defining the powers and duties of school meetings and the qualification of voters thereat.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Benz introduced House Bill No. 202. A bill to protect the public service from being corrupted by the use of money or intoxicating liquor, or by promises of money, property or position by candidates, declaring who shall be ineligible, what shall cause vacancies and providing penalties.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Johnson of Dearborn introduced House Bill No. 203. A bill to amend an act entitled "An act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways, and for straightening or altering of water-courses by the cities of this State, and providing for the appointment of commissioners to assess benefits and damages, prescribing their duties and the method of procedure, and providing for the collection of benefits and payment of damages, and prescribing the duties of city officers in relation thereto, and providing remedies in such matters," approved March 17, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Johnston of Dearborn introduced House Bill No. 204. A bill to repeal an act entitled "An act requiring the officers of certain corporations therein named to make out and publish annual statements, and providing penalties for the violation thereof."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lockhart introduced House Bill No. 205. A bill creating ——— judicial circuit, providing for the appointment and election of a judge and prosecuting attorney therein, regulating the terms of court therein and the return of process thereto, repealing all laws in conflict therewith, and declaring an emergency for the immediate taking effect thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lockhart introduced House Bill No. 206. A bill to prevent accidents by railroads, prescribing penalties for violation, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Koontz introduced House Bill No. 207. A bill authorizing the assessment of lands for plank, macadamized and gravel road purposes, and prescribing the manner of assessing and collecting the same.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 208. A bill relating to the prosecutions of felonies not punishable with deaths and misdemeanors in the Criminal and Circuit Courts by affidavit and information, repealing all laws in conflict with this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 209. A bill to amend section 4 of an act entitled "An act regulating prosecutions in cases of bastardy and providing for the support of illegitimate children," approved March 6, 1852, and to repeal all laws in conflict with this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 210. A bill to amend sections 1 and 2 of an act entitled "An act making it unlawful for owners and proprietors of billiard tables to suffer or permit minors to play at or upon the same, or to suffer or permit minors to congregate at and about such billiard tables, and providing penalties for the violation of this act," approved March 8, 1873, be amended to read as follows.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thompson of Elkhart introduced House Bill No. 211. A bill concerning changes of venue in the Circuit Court.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Albert introduced House Bill No. 212. A bill providing for the publication of official matters in German newspapers, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Leave of absence was granted to Mr. Hall until Tuesday, Mr. Madden until Wednesday, and Mr. Carlton until to-morrow afternoon.

By unanimous consent the order of business was suspended, and Mr. Craft made the following motion, which was agreed to by the House:

Moved, That Joint Resolution No. 8, which was reported favorably upon by the committee on cities and towns, be recommitted to the committee on affairs of the prisons.

Pending the call of the roll of counties at the County of Fountain, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING,

JANUARY, 20, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. O. S. Dean, pastor of the Plymouth Congregational church.

The Journal of yesterday's proceedings was partially read, when on motion by Mr. Adams, further reading of the Journal was dispensed with.

Leave of absence was granted to Mr. Bumgarner until Tuesday, to Mr. Marsh until Monday, to Mr. Guthrie until Tuesday, and to Mr. Carson until he recovers from his present illness, and to Mr. Oglebay indefinitely.

On Mr. Langdon's motion it was agreed that when the House adjourns it shall be until Monday, at 2 P. M.

The call of the roll of counties pending adjournment was resumed.

RESOLUTIONS, ETC.

Mr. Copeland offered the following resolution :

WHEREAS, The State Librarian, in his report of the fiscal year, ending October 1, 1875, and the fiscal year ending October 1, 1876, shows as follows, to-wit :

Expenses of the State House and State Library for the	
fiscal year ending October 1, 1875.....	\$9,368 49
And for the year ending October 1, 1876.....	6,744 41

AND WHEREAS, The total specific appropriation bill passed by the General Assembly for the years 1875 and 1876, for this purpose, was as follows :

For the year 1875, salary of the State Librarian.....	\$1,200 00
State House attendance and repairs	2,000 00
For incidental expenses of the State Library, to include binding and the purchase of new books.....	1,000 00
For incidental expenses of the State House and State offices, including fuel, stationery, etc.....	2,000 00
Total for 1875.....	\$6,200 00
For the year 1876, the same items and like amount, to- wit:.....	6,200 00
Making a total appropriation for the two years of.....	12,400 00
While the amount expended for the two years, as per the report was.....	16,112 90
Showing that the expenses exceed the appropriations made therefor by.....	3,712 90

AND WHEREAS, One item of the expense charged in said report of the State Librarian is for \$960 per annum to Maggie Fitzgibbon, who has acted in the capacity as assistant librarian or clerk, which is expressly forbidden by section 1 of an act approved December 20, 1865, and still in force, which says :

The salary of the State Librarian shall be twelve hundred dollars per annum, payable out of the State treasury; and there shall not be any extra amount for an Assistant Librarian or clerk;

AND WHEREAS, The report contains only the expenses up to October 1, 1876; therefore,

Be it resolved, That a committee of three be appointed to ascertain the amount of the expenses from October 1, 1876, the close of the report, till the present date, and from what fund the surplussage of the expenses was paid, and for this purpose shall have access to the books and accounts kept for this purpose by the Librarian, and to report the same at their earliest convenience; and to report to this House a bill fixing the number, duty and salary of all employes of the Librarian, with a view to ascertain as nearly as possible the probable amount necessary to defray the expenses for the coming two years, to be included in the specific appropriation bill.

Which was adopted by the House.

Mr. Swayzee offered the following resolution:

WHEREAS, The Constitution of the State of Indiana expressly provides that "In all civil cases the right of trial by jury shall remain inviolate;

AND WHEREAS, In one of the judicial circuits of this State this right has been twice denied; therefore

Resolved, That the committee on the judiciary be and they are hereby instructed to inquire into this matter and report to this House at as early a day as practicable what legislation, if any, may be necessary to meet and correct this abuse.

Mr. Branyan moved to lay the resolution on the table.

Which was not agreed to.

The resolution was not adopted.

Mr. Swayzee offered the following resolution:

WHEREAS, Our system of common schools is not only the glory, but also one of the chief bulwarks of the State;

AND WHEREAS, The efficiency and perpetuity of these schools depend largely upon the good will of the people;

AND WHEREAS, Whatever tends to alienate the affections of the people from our common or free schools is an evil, and dangerous alike to the schools and to the State;

AND WHEREAS, The law authorizing in whole or in part the erection of costly buildings, and the maintenance of high schools

out of the school funds of the State is a misuse of said funds, and not in harmony with the simplicity of our school system ;

AND WHEREAS, The State University, at Bloomington, is an institution in which the tax-payers of the State feel no direct interest, and from which they receive no immediate benefit, but to the support of which all are compelled to contribute ;

AND WHEREAS, This institution meets no public want that is not as well provided for by other institutions of like character, without any direct or involuntary tax upon the people of the State ; therefore,

Resolved, That the committee on education be and they are hereby instructed to inquire into the propriety of so amending the school laws of the State as to correct the abuse herein complained of, and report to this House by bill or otherwise at as early a day as practicable.

Mr. Johnson of Carroll moved to lay the resolution upon the table.

Which was not agreed to, and the resolution was adopted.

Mr. Lehman offered the following resolution :

I move that article 56 of our standing rules and orders, now reading "The first reading of a bill shall be for information," be amended so as to read, "The first reading of a bill shall be for information and commitment, and if committed, then the question shall be whether to a select committee or a standing committee, or to a committee of the whole House, the House shall determine on what day."

Also, strike out of article 57, after the words "The Speaker shall state it," the word "commitment," and after "or engrossment," all, and so much as refer to its commitment on second reading and now included in article 56, as proposed to be amended.

Which, under the rules, went over for consideration on Monday.

Mr. Branyan introduced Joint Resolution No. 13, which was read and referred, under the rule, to the committee on federal relations.

Mr. Viehe introduced the following joint resolution :

Repealing a joint resolution entitled "A joint resolution requesting the Governor to appoint a suitable person to revise and correct the swamp land books of the State of Indiana, in the office of the Auditor of State," approved March 6, 1865.

Which was read and referred to the committee on swamp lands.

Mr. Lane, from the committee on enrolled bills, reported that they have examined House Bill No. 120, and find it correctly enrolled.

The Speaker announced that he had signed Enrolled House Bill No. 120, and the Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Johnson of Carroll, from the committee on engrossed bills, submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills to whom was referred House Bill No. 51, report that they have examined the same and find it correctly engrossed.

Mr. Lanham offered the following concurrent resolution:

WHEREAS, One Patrick Shannon presented a claim of twenty-five hundred dollars (\$2,500) to the last Legislature at the regular session of 1875, which the said Patrick Shannon alleged was due him as former Agent of the State on account of salary, office rent, etc.;

AND WHEREAS, The two Houses failed to agree as to the validity of said claim, and said claim at the special session of 1875, was referred to a conference committee of the two Houses, which also failed to agree;

AND WHEREAS, A second committee of conference was appointed, which agreed that said claim should be paid, provided that the Attorney General should first file with the Auditor of State his official statement that he had carefully examined the law and the facts in the case, and have found said claim to be just and equitable; therefore,

Be it Resolved by the House of Representatives, the Senate concurring, That the Attorney General be and is hereby respectfully requested to furnish the two Houses of this General Assembly with early information upon the following inquiries:

First. Has such official statement ever been filed with the Auditor of State?

Second. What are the facts in this case, and what is the law applicable to the same?

Third. Did said Patrick Shannon as claimed, actually have an office in the city of New York?

Which was adopted.

HOUSE BILLS INTRODUCED.

Mr. Cooley introduced House Bill No. 213. A bill supplemental to an act entitled "An act authorizing the purchasers of plank roads and macadamized or gravel roads, or parts thereof, under mortgages or deeds of trust, to organize as incorporated companies, and prescribing their powers and duties," approved March 5, 1859, to authorize such corporations, after having complied with the above provision, to reorganize in accordance with the provisions of this act, the provision to extend to other chartered road corporations, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Copeland introduced House Bill No. 214. A bill to amend section 6 of an act entitled "An act to create the Forty-first Judicial Circuit, to amend sections 34 and 39 of an act entitled 'an act to divide the State into circuits for judicial purposes, fixing the time for holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases,' approved March 6, 1873, and also to provide for the holding terms of courts in the Thirty-third and Thirty-eighth and Forty-first circuits, and repealing all laws inconsistent therewith," approved March 9, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Swayzee introduced House Bill No. 215. A bill to amend section 468 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1853.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Swayzee introduced House Bill No. 216. A bill to amend section 53 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 217. A bill to amend section 1 of an act entitled "An act to amend section 467 of an act entitled 'An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish district forms at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,'" approved June 18, 1852, approved February 2, 1855, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 218. A bill to provide for the redemption of personal property, sold on execution, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Garver introduced House Bill No. 219. A bill to repeal section 172 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.

Which was read a first time, and passed to second reading on to-morrow.

Mr. Garver introduced House Bill No. 220. A bill to repeal sections 4 and 5 of an act entitled "An act in relation to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1859.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Warrum introduced House Bill No. 221. A bill to prevent hogs running at large without a ring in the nose.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hubbard introduced House Bill No. 222. A bill to amend section 13 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction,

powers and duties in civil cases," approved June 9, 1852, approved March 9, 1861.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hubbard introduced House Bill No. 223. A bill to provide for and require children from eight years to fourteen years of age to attend school, or to be instructed at home, at least fourteen weeks in each year, and other matters pertaining thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hubbard introduced House Bill No. 224. A bill for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements and articles of obscene and immoral use, and articles for procuring abortion, and to repeal all acts in conflict with this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hubbard introduced House Bill No. 225. A bill concerning transient persons, poor persons from home and common vagrants, defining the duties of township trustees, mayors of cities and county commissioners in relation to them, prescribing penalties, and other matters pertaining thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thompson of Howard, introduced House Bill No. 226. A bill fixing the per diem and mileage of members of the General Assembly, the compensation of the elective officers and payees therein, defining certain duties of said officers, and repealing all laws and parts of laws in conflict herewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Branyan introduced House Bill No. 227. A bill making it a misdemeanor to sell, convey, or conceal mortgaged chattels in certain cases, and prescribing penalties therefor, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lehman introduced House Bill No. 228. A bill empowering incorporated towns to construct and maintain work houses,

and to authorize the imprisonment therein of persons convicted of offenses against the laws and ordinances of such incorporation, and prescribing the powers and rights of such incorporations, and the manner in which they shall exercise the same, in such matters as pertain thereto, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Pending the call of the roll of counties at the county of Knox, on motion by Mr. Langdon, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY AFTERNOON,

JANUARY 22, 1877.

The Speaker having failed to be present by reason of a detention of the cars, the House was called to order by Mr. Kennedy of Rush, who moved that Mr. Lanham be called to act as Speaker *pro tem*.

Which was agreed to by the House.

Leave of absence was granted to Mr. Hubbard indefinitely, to Mr. Cary until to-morrow, and to Mr. Riley indefinitely.

Mr. Viehe presented a petition of Thomas Wren, praying the enactment of a law to compel the city of Indianapolis to pay him certain money alleged to be due him on a contract.

Which was read and referred to the committee on the judiciary.

Leave of absence was granted Messrs. Grubbs, Collins, Garver, Coffman and Carr.

The call of the roll of counties pending at adjournment was resumed, whereupon

By consent of the House the order of business was suspended, and Mr. Lehman's resolution amending the rules was taken from the table.

The question being upon the adoption of the resolution, Mr.

Oglebay moved the previous question, which was seconded by the House.

The ayes and noes were demanded by Messrs. Lehman and Marsh.

The question being, shall the resolution be adopted?

Those who voted in the affirmative were Messrs. Askren, Carlton, Cole, Compton, Cook, Craft, Gossman, Henderson, Harper, Johnson of Carroll, Johnson of Dearborn, Lehman, Marsh and Viehe—14.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Carson, Chawner, Claypool, Conley, Cooley, Copeland, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Guthrie, Harris, Hatfield, Houghton, Highway, Hosmer, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring and Zimmerman—67.

So the resolution was not adopted.

Mr. Ames offered the following resolution, which was adopted:

Resolved, That the credentials of members of this House be referred to the committee on elections, and that said committee be instructed to consider the same, and report to the House as soon as practicable.

Mr. Henderson offered the following resolution:

Resolved, That hereafter the House do meet at the hour of 9:30 o'clock A. M., instead of 10 o'clock.

Which, on motion of Mr. Henderson, was laid over for consideration on to-morrow.

Mr. McGaughey presented the petition of Stephen McCalf and thirteen others, asking that certain claims against the State be allowed.

Which was read and referred to the committee on claims.

Mr. Peelle presented the claim of John M. Berry, formerly commissioner of the reserved township of land in Monroe county, for money paid to the State.

Which was read and referred to the committee on claims.

BILLS INTRODUCED.

Mr. Viehe introduced House Bill No. 229. A bill to amend section 22 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Viehe introduced House Bill No. 230. A bill to amend section 1 of an act entitled "An act to amend section 269 of an act entitled an 'an act to provide for the uniform assessment of property and for the collection and return of taxes thereon,'" approved December 21, 1872, approved March 11, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 231. A bill creating a department of statistics in the office of the Secretary of State, and prescribing rules and regulations for the government of the same.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 232. A bill to authorize the Auditor of State to make a deed to Robert J. Johnson for certain land therein described.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 233. A bill to provide for the printing, binding, proof-reading and indexing of the Senate and House Journals, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 234. A bill supplementary to an act approved March 14, 1867, entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 235. A bill to enable Boards of Underwriters, incorporated by or under the laws of the State of Indiana to establish and maintain a fire patrol.

Which was read a first time and passed to a second reading on to-morrow.

Mr. McGaughey introduced House Bill No. 236. A bill providing for the election of school directors, prescribing their powers, duties and qualifications, repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 237. A bill to amend section 207 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 238. A bill for the suppression of the traffic in and circulation of obscene literature, and prescribing punishment for its violation.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Houghton introduced House Bill No. 239. A bill fixing the the fees of constables, repealing section 26 of an act entitled "An fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875, prescribing certain duties of constables and forfeiture of fees on failure, repealing conflicting laws, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Zehring introduced House Bill No. 240. A bill prescribing the number of jurors required to find a verdict in civil causes.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lehman moved that the House do now adjourn.

Which was not agreed to.

Mr. Hulet introduced House Bill No. 241. A bill amending section 3 of an act entitled "An act for the relief of the Lye Creek Draining Association," approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Scott introduced House Bill No. 242. A bill to amend section 9 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Pending the call of the roll of counties at the counties of Montgomery and Parke, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

TUESDAY MORNING,

JANUARY 23, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. J. H. Bayless, pastor of Trinity Methodist Episcopal Church.

The Journal of yesterday's proceedings was read and approved.

The call of the roll of counties pending at adjournment, was resumed, whereupon

Mr. Hall introduced House Bill No. 243. A bill to prevent extortionate and unjust charges for the transportation of passengers and freight, by railroad corporations.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Zimmerman introduced House Bill No. 244. A bill to

amend an act entitled "An act to provide for township elections," approved June 15, 1852, approved April 26, 1869, and providing for an election under this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Freeman introduced House Bill No. 245. A bill defining the crime of keeping a bawdy-house, prescribing the punishment therefor, and providing that certain persons may be compelled to testify against a defendant prosecuted thereunder.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo introduced House Bill 246. A bill to repeal an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved June 15, 1852, approved March 2, 1865, and to provide for the disposition of the money collected under said act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Stewart introduced House Bill 247. A bill to repeal section 9 of an act supplemental to an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and supplemental sections added thereto March 8, 1873, and declaring an emergency.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Lane introduced House Bill No. 248. A bill fixing a time for electing a State Librarian, the Directors of the State Prisons North and South, Trustees of the Deaf and Dumb, Insane and Blind Asylums, also of the Soldiers' Orphans' Home and President of the Joint Board of Trustees of the Benevolent Institutions.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Morrison introduced House Bill No. 249. A bill requiring the officers of certain corporations therein named to make out and publish annual statements, and providing penalties for the violation thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Endsley introduced House Bill No. 250. A bill to amend section 1 of an act entitled "An act repealing an act entitled 'an act to amend sections 3 and 14 of an act entitled an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free,' approved March 6, 1865, approved March 9, 1867, and all the act entitled 'an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject,' approved March 14, 1869, and declaring an emergency," approved March 13, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Ashby introduced House Bill No. 251. A bill to amend section 27 of an act entitled "An act for the relief of the poor," approved June 9, 1852, to allow temporary sick paupers or their friends, the liberty of choice in the employment of physicians, and allowing such physician fixed fees for their services in such cases; and fixing the time for the taking effect of this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Butler, by request, introduced House Bill No. 252. A bill fixing fees, salaries duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Butler, by request, introduced House Bill No. 253. A bill to provide for the reduction of the rate of interest in the State of Indiana.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Leeper introduced House Bill No. 254. A bill authorizing Justices of the Peace to require additional replevin bail in cases where insufficient bail has been taken, and where the replevin bail has become insufficient to secure the payment of the judgment.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Languon introduced House Bill No. 255. A bill to authorize county commissioners of the several counties of this State to purchase the blank books, stationery and printed forms for the use of the several county officers, and for the conduct of the public business, prohibiting their purchase by any other persons, defining penalties and prescribing punishment for violation of the provisions of this act by said commissioners, or by other persons therein named, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Langdon, at the request of and for Mr. Grubbs, introduced House Bill No. 256. A bill to amend section 1 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act." approved December 21, 1865, and adding supplemental sections thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Langdon, by request of and for Mr. Grubbs, introduced House Bill No. 257. A bill to authorize the recording of exemplifications of land patents of the United States, giving them, when so recorded, the same validity as the original patents, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 258. A bill to provide for the taxation of all property.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Whitehead introduced House Bill No. 259. A bill to authorize boards of commissioners of counties to improve public highways in their respective counties by causing the same to be

graveled or macadamized after the same are graded, and authorizing such boards of commissioners to levy a tax therefor, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Conley introduced House Bill No. 260. A bill to amend section 2 of "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 261. A bill to amend section 38 of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Sailors introduced House bill No. 262. A bill amending section 24 of an act entitled "An act fixing the fees, salaries, duties and corporation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Collins introduced House Bill No. 263. A bill to amend an act entitled "An act providing for the appointment of notaries public, and defining their duties and powers," approved June 9, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 264. A bill to repeal sections 260 and 261 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 265. A bill to amend

section 266 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 266. A bill to amend section 1 of an act entitled "An act to exempt property from execution in certain cases," approved February 17, 1872.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 267. A bill to amend section 2 of an act entitled "An act defining who shall be competent witnesses in any court or judicial proceeding in this State, and to repeal all laws, and parts of laws in conflict with the provisions of this act," approved March 11, 1867.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Chawner, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bills Nos. 23, 9, 13, 50 and 88, and find the same correctly engrossed.

The following report was submitted from the committee on enrolled bills :

MR. SPEAKER :

Your committee on enrolled bills have this day presented to the Governor for his signature Enrolled House Bill No. 120.

Mr. Freeman moved to take up Mr. Henderson's resolution, offered yesterday, making 9½ o'clock the hour for the morning meeting of the House.

Which was not agreed to.

Mr. Carlton offered the following resolution :

Resolved, That in cases where any standing or special committee of this House shall make a report favorable to the passage of any bill with, or without amendment, the chairman of such committee

shall cause 150 copies of such bill (or bill as recommended to be amended) to be printed for the use of the General Assembly, whenever in the opinion of such chairman the bill is of such importance as to justify the same.

To which Mr. Lanham offered the following amendment, which was accepted by Mr. Carlton:

Amend by striking out the words "the chairman of such" and inserting in lieu thereof the word "said."

The question being upon the adoption of the resolution as amended.

The ayes and noes were demand by Messrs. Thompson of Elkhart and Thomas.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Guthrie, Hall, Harris, Hatfield, Haughton, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Zehring and Mr. Speaker—78.

Those who voted in the negative were Messrs. Askren, Branyan, Johnson of Dearborn, Kennedy of Rush, McCarty, Priest, Reno, Swayzee, Thompson of Elkhart and Yaryan—10.

So the resolution was adopted.

Mr. Thomas offered the following resolution, which was adopted:

WHEREAS, The prevalent stagnation of the monetary affairs of our people, and the consequent effort that is required to enable them to meet the daily demands in procuring the necessities of life, makes it obligatory upon us as their rsrepresentatives to do all in our power to relieve them of their financial embarrassments; therefore be it

Resolved by the House of Representatives, That it is the sense of this House that we should appose every measure looking to an increase in the taxes of our people in all cases where the object of taxation can be consistently avoided; and that the duty of the hour

demands of us as public servants a strict observance of economy in all our legislative enactments.

Mr. Morrison presented a petition from sundry citizens of Jefferson county, Indiana, asking relief from certain liabilities in reference to a certain gravel road in said county.

Which was read and referred to the committee on roads.

Mr. Kennedy of Union offered the following resolution :

WHEREAS, Section 14, of the Constitution of the United States, declares that all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside, and that no State shall make or enforce any law which shall abridge the privilege of citizens of the United States ; nor shall any State deprive any person of liberty or property, nor deny to any person within its jurisdiction the equal protection of the laws ; and

WHEREAS, Section 15 further declares that the rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State ; be it therefore

Resolved, That sections 14 and 15 of the Constitution of the United States clearly and unequivocally guarantees suffrage to all citizens, and that the right to vote is alike due the sexes, and the denial of such privileges to woman is a usurpation of the constitution : that it is wrong and contrary to the genius of republican institutions to deprive her the right of voting, and hold her property subject to taxation, that the perpetuity and prosperity of our government depend on the united intelligence of both sexes.

Which was read and referred to the committee on rights and privileges.

Leave of absence was granted to Mr. Grubbs indefinitely on account of sickness, and to Mr. Austin until to-morrow.

By consent of the House Mr. Yaryan moved that House Bill No. 38, entitled "A bill to amend sections 132 and 374 of the act entitled ' an act to revise, simplify and abridge the rules of practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, ' " approved June 18, 1852, be re-committed to the committee on judiciary, with the following instructions : So amend as to require that judgments on replevin bonds

named in the bill shall be collected without regard to valuation or appraisement laws.

Which was agreed to by the House and the bill and instructions recommitted to the committee on judiciary.

Pending the call of the roll of counties at the county of Wayne, on motion by Mr. Sailors, the House adjourned.

AFTERNOON SESSION,

TUESDAY, January 23, 1877.

The House met, with the Speaker in the chair.

The Speaker announced the appointment of the following select committees :

Under Mr. Peelle's substitute for Mr. Thomas's resolution for inquiry into and investigation of charges against the Supreme Court—Messrs. Thomas, Foster of Monroe, Leeper, Collins and Thompson of Elkhart.

Under Mr. Copeland's resolution for an inquiry into the expenditures and needs of the State Librarian's office—Messrs. Copeland, Carlton and Guthrie.

The special order being consideration of House Bills Nos. 90 and 114 was, on motion of Mr. Hall, suspended, and Engrossed House Bill No. 40, entitled a bill fixing the time of holding Circuit Courts in the several counties of the Thirteenth Judicial Circuit," was taken up and read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Gossman, Guthrie, Hall, Harris, Hatfield, Houghton, Henderson, Harper, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Sailors,

Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.
—78.

No member voting in the negative.

So the bill passed.

The Principal Clerk of the House was directed to inform the Senate thereof.

By consent of the House, House Bill No. 9, entitled a bill to amend section 70 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and declaring an emergency, was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Hatfield, Houghton, Henderson, Highway, Harper, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Pelle, Perigo, Priest, Rea, Reno, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—89.

No member voting in the negative.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Leave of absence was granted Mr. Hubbard for the afternoon.

By unanimous consent Engrossed House Bill No. 5, entitled "A bill to legalize the subscriptions of the city of Vincennes to the capital stock of the Vincennes Drawbridge Company and the bonds

issued to pay the same, and the taxes levied and assessed for the payment thereof, and to authorize taxes to be levied, assessed and collected for the payment of such bonds as yet remains unpaid," was taken up and read the third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Hatfield, Henderson, Highway, Harper, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—87.

Those who voted in the negative were Messrs. Branyan and Houghton—2.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Cook offered the following resolution :

WHEREAS, Several hundred copies of Governor Hendrick's late message are yet in the hands of the Doorkeeper, and are not distributed for want of orders to do so ; therefore be it

Resolved, That the Doorkeeper be and he is hereby instructed to distribute the same equally among the members of this House.

Which was adopted.

The special order being the consideration of House Bill No. 90, entitled "A bill relating to the rights of married women, and matters properly connected therewith," and House Bill No. 114, entitled "An act to remove from married women all disabilities to contract, authorizing them to sue and be sued, and defining their liabilities on their contracts, repealing all laws in conflict," was taken up, and the reports from the committee on rights and privileges of the inhabitants of the State of Indiana thereon were read.

And the question being upon concurring in the report of the committee upon House Bill No. 90, Mr. Yaryan moved that the bill and report be recommitted to the committee on judiciary with instructions to report a bill embodying the following amendment as a substitute for the bill :

SECTION 1. That the legal disabilities of every married woman in the State of Indiana, in consequence of her coverture be and the same are hereby removed, so far as relates to her own separate property, with rents, issues and profits thereof: *Provided however*, That a married woman shall have no power to mortgage or sell and convey her lands, except by deed in which her husband shall have joined.

SEC. 2. A married woman engaged in any trade, profession or avocation in her own name, or in the name of another person for her benefit, by the consent of her husband, express or implied, while they live together as husband and wife, or without his consent if not so living together, may sue and be sued as a *femme sole*; and the property of such trade, profession or avocation, with her separate property, shall be liable for her debts so contracted.

SEC. 3. All laws coming in conflict with this act, are hereby repealed.

Mr. Craft demanded the previous question.

Which was seconded by the House, and the main question ordered.

The ayes and noes were demanded by Messrs. Reno and Morgan.

The question being upon the recommitment of the bill with instructions.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Baxter, Butler, Cary, Carlton, Coffman, Cole, Collins, Cook, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Gossman, Hall, Harris, Hatfield, Houghton, Henderson, Highway, Harper, Hosmer, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Leeper, Lehman, Little, Lockhart, Marsh, Merriman, Moorman, Morrison, McGaughey, Oglebay, Peelle, Perigo, Sailors, Scott, Spencer, Thomas, Thomson of Howard, Thompson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring and Zimmerman—57.

Those who voted in the negative were Messrs. Adams, Askren, Benz, Branyan, Carr, Carson, Claypool, Compton, Conley, Cooley, Freeman, Fromm, Garver, Girton, Guthrie, Johnson of Dearborn,

Lanham, Morgan, McCarty, Paige, Priest, Rea, Reno, Stewart, Swayzee, Thomson of Elkhart and Mr. Speaker—27.

So the motion to recommit prevailed.

The report of the committee upon House Bill No. 114 was concurred in by the House and the bill laid upon the table.

Mr. Lane moved an adjournment of the House, which was not agreed to.

Mr. Marsh introduced House Bill No. 268. A bill making the unlocking or breaking and entering into cars belonging to or in the possession of a railroad company, with intent to feloniously steal, take and carry away any of the goods contained in such cars, a felony, fixing the penalty, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Marsh introduced House Bill No. 269. A bill to amend section 18 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Marsh introduced House Bill No. 270. A bill to amend section twelve of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Marsh introduced House Bill No. 271. A bill in relation to foreign express companies doing business in this State, defining their duties and providing for the safety of money, merchandise and other articles entrusted to their care.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Girton was granted leave of absence until Thursday at 2 o'clock P. M.

On motion by Mr. Dannettell, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

JANUARY 24, 1877.

The House met with the Speaker in the chair.

The Journal of yesterday's proceedings was read and approved.

The Speaker announced the order of business to be reports from committees.

Whereupon, Mr. Lanham, from the committee on elections, submitted the following report, which was concurred in by the House :

MR. SPEAKER :

Your committee on elections, to whom was referred the papers relating to the contest of the election of A. B. Carlton and W. A. Conley, Representatives from the county of Vigo, by Nicholas Filbeck, ask leave to submit the following report :

Inasmuch as your committee have received no deposition relating to the case, and inasmuch as the said Nicholas Filbeck has given notice of the abandonment of such contest and asks to be allowed to withdraw the papers relating to the same, therefore your committee unanimously recommend that no further action be taken in the matter by this House, and the request of Nicholas Filbeck, that he be allowed to withdraw all papers relating to said contest, be granted.

Mr. Henderson moved that the order of business be suspended, and his resolution introduced yesterday, providing that the House shall hereafter meet at 9:30 o'clock, A. M., be taken up and considered.

Which was agreed to.

The question being upon the adoption of the resolution, Mr. Thompson of Elkhart offered the following amendment :

Resolved, That this House meet at 9 o'clock, A. M., after January 22, 1877.

Mr. Lehman moved to lay the amendment upon the table.

Messrs. Kennedy of Rush and Lanham demanded the ayes and noes, whereupon,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Baxter, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Coffman, Cole, Collins, Conley, Cook, Craft, Crumpacker, Dannettell, Foster of Allen, Foster of Monroe, Fromm, Grubbs, Guthrie,

Hall, Hatfield, Houghton, Hauss, Henderson, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Koontz, Langdon, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merryman, Morgan, McCarty, McGaughey, Paige, Peelle, Rea, Smith, Spencer, Thompson of Howard, Thomson of Miami, Viehe, Zehring and Mr. Speaker.—56.

Those who voted in the negative were Messrs. Ashby, Askren, Benz, Branyan, Butler, Claypool, Compton, Copeland, Elwell, Endsley, Freeman, Garver, Gossman, Highway, Harper, Johnson of Carroll, Kennedy of Rush, Kimmell, Lane, Lanham, Leeper, Moorman, Perigo, Priest, Reno, Stewart, Swayzee, Thomas, Thompson of Elkhart, Wells, Warrum, Yaryan, Zimmerman—33.

So the amendment was laid upon the table.

The question recurring upon the adoption of the resolution, Mr. Johnson of Carroll moved the previous question, which was seconded by the House.

The ayes and noes being demanded by Messrs. Branyan and Johnson of Carroll,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lockhart, Madden, Meriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring Zimmerman and Mr. Speaker—76.

Those who voted in the negative were Messrs. Austin, Baxter, Carlton, Collins, Foster of Allen, Grubbs, Houghton, Hosmer, Hubbard, Langdon, Lehman, Little, Marsh, Mathews and Spencer.—15.

So the resolution was adopted, and the hour of the meeting of the House fixed at 9:30 o'clock A. M.

Mr. Lanham, from the committee on elections, submitted the following report :

MR. SPEAKER:

Your committee on elections to whom was referred Joint

Resolution No. 4, entitled "A joint resolution proposing amendments to the Constitution of the State of Indiana," have had the same under consideration, and report said resolution back to the House with the recommendation that it do lie on the table, and that the following joint resolutions be substituted in lieu thereof:

A joint resolution to amend the Constitution of the State of Indiana.

A joint resolution to amend article 2 of the Constitution of the State of Indiana.

A joint resolution to amend section 2 of article 2 of the Constitution of the State of Indiana.

A joint resolution to amend section 4 of article 4 of the Constitution of the State of Indiana.

A joint resolution to amend section 5 of article 4 of the Constitution of the State of Indiana.

Mr. Langdon moved that the reports with the substitutes be made the special order at 10 o'clock A. M. on next Wednesday.

Mr. Johnson of Carroll moved to amend by fixing the hour at 7 o'clock next Wednesday evening.

On motion of Mr. Kennedy of Rush, the amendment was laid upon the table.

Mr. Albert moved to amend by fixing the hour at 10 o'clock A. M. on the 7th day of February.

Which was not agreed to, and the original motion by Mr. Langdon was agreed to by the House.

Mr. Lanham from the committee on elections, submitted the following report:

MR. SPEAKER:

Your committee on elections, to whom was referred Joint Resolution No. 2, entitled "A joint resolution proposing to amend section 14 of article 2 of the Constitution of the State of Indiana," have had the same under consideration, and report said resolution back to the House with their unanimous recommendation that the same do pass.

Which was laid over and made a part of the special order for next Wednesday at 10 A. M.

Mr. Smith, from the committee on elections, submitted the

following report, which, on motion, was made a part of the special order for next Wednesday at 10 o'clock A. M.:

MR. SPEAKER:

Your committee on elections, to whom was referred Joint Resolution No. 3, proposing an amendment to article 2 of section 2 of the Constitution of the State of Indiana, having examined the same return it herewith, with the unanims recommendation that the same be adopted.

Mr. Garver, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 116, entitled "A bill for continuance in certain causes," have had the same under consideration and have directed me to report the same back to the House with the following recommendation:

1. That the words "suit at law or equity" be stricken out, and the words "civil action" be inserted in lieu thereof.

2. And that said bill when so amended do pass.

Which report was concurred in by the House.

Mr. Viehe moved that the order of business be suspended, the bill as amended considered engrossed, read a third time and put upon its passage.

Which was agreed to and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Rea, Reno, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson

of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—90.

Mr. Paige voting in the negative1.

So the bill passed.

The Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Marsh moved that the order of business be suspended and Engrossed House Bill No. 76, entitled "A bill to abolish the Twenty-seventh Judicial Circuit and the criminal circuits therein, and to confer jurisdiction in criminal cases upon the civil courts of Floyd county and Clark county, and to transfer all causes pending in said criminal circuit courts to said civil circuit courts and declaring an emergency," be taken up, read the third time and put upon its passage.

Which was agreed to, and the bill read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Guthrie, Hall, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—85.

Those who voted in the negative were Messrs. Cole, Freeman, Gossman and Little—4.

So the bill passed, and the Principal Clerk was directed to inform the Senate thereof.

Mr. Langdon, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill

No. 22, entitled "An act to provide for taking the sense of the qualified voters of the State on the calling of a convention to alter, amend or revise the Constitution," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

On Mr. Langdon's motion, the bill and report were made a part of the special order for next Wednesday at 10 o'clock A. M., and further consideration thereof deferred until that time.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 104, entitled "An act making the gold and silver coins of the United States legal tenders," etc., have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

The question being upon concurring in the report of the committee.

The ayes and noes were demanded by Messrs. Hulet and Zering.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Branyan, Bumgarner, Carlton, Carr, Carson, Chawner, Collins, Conley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Fromm, Grubbs, Guthrie, Henderson, Highway, Hubbard, Johnson of Dearborn, Kennedy of Union, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McGaughey, Peelle, Rea, Smith, Spencer, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Veihe, Welborn, Whitehead, Zimmerman and Mr. Speaker—55.

Those who voted in the negative were Messrs. Ashby, Askren, Baxter, Benz, Butler, Cary, Claypool, Coffman, Cole, Compton, Cook, Endsley, Freeman, Garver, Gossman, Hall, Hatfield, Houghton, Hauss, Harper, Hosmer, Hulet, Johnson of Carroll, Kennedy of Rush, Kimmell, McCarty, Paige, Perigo, Priest, Reno, Stewart, Thomas, Wells, Warrum, Yaryan and Zering—36.

So the report of the committee was concurred in, and the bill laid upon the table.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee, to whom was referred House Bill No. 96, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which was concurred in by the House, and the bill laid upon the table.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

I am directed by the committee on engrossed bills to report that they have carefully examined Engrossed House Bills Nos. 41, 49 and 76, and find the same in all respects correctly engrossed.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

The committee on engrossed bills instruct me to report that they find a mistake in the original manuscript of House Bill No. 18 as follows : In line 6 of the title the word " district " is used instead of " distinct."

Mr. Baxter, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bill No. 44, and have directed me to report the same correctly engrossed.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 89, entitled "An act to amend section 16 of an act entitled ' an act concerning real property and the alienation thereof,' " have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Pending the question of concurring in the report of the committee, on motion of Mr. Lanham, the House adjourned.

AFTERNOON SESSION.

WEDNESDAY, January 24, 1877.

The House met, with the Speaker in the chair.

The consideration of the question pending at adjournment being on concurrence in the report of the committee on judiciary on House Bill No. 89, was resumed, whereupon Mr. Viehe made the following motion :

I move to recommit the bill to the committee on judiciary with instructions to amend the same so as to allow ten days for recording.

Which was agreed to by the House and the bill so recommitted.

The special order set for this day and hour, being consideration of House Bill No. 98, entitled "A bill to regulate the hanging of doors to the entrances of theatres, opera houses, public halls, museums, churches, colleges, seminaries and school buildings."

The report from the committee on rights and privileges thereon was taken up, when on motion by Mr. Collins, further consideration of the bill and report was postponed until next Monday at 2 o'clock P. M.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary have had under consideration House Bill No. 111, entitled "An act declaring agreements to pay attorneys fees, contained in any bill of exchange, acceptance, draft, promissory note, or other written or printed evidence of indebtedness, illegal and void, repealing all laws in conflict with this act," etc., and have directed me to report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in by the House, and the bill laid upon the table.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 122, have had the same under consideration, and have directed

me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in by the House and the bill laid upon the table.

Mr. Carlton, from the committee on judiciary, offered the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House bill No. 103, entitled "An act to provide for taxing as costs the expenses of procuring transcripts and exemplifications of records," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same has been improperly referred, that the same should be referred to the House committee on fees and salaries.

Which report was concurred in by the House, and the bill referred to the committee on fees and salaries.

Mr. Marsh, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 25, entitled "An act to amend sections 3, 4 and 6 of an act entitled 'an act for the incorporation and continuance of building, loan fund and savings associations,'" have had the same under consideration, and herewith direct me to report the same back with the following recommendations :

1. That the same be amended by striking out the words "or other person," in line 7 of section 1.

2. By striking out section 2 of said bill.

3. That the said bill when so amended do pass.

Mr. Craft moved the previous question.

Which was seconded by the House.

And the main question ordered by consent, being shall the report of the committee be concurred in? Whereupon the report of the committee was concurred in by the House and the bill ordered to engrossed.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed Senate Bill No. 6. •An act to legalize the official acts of the Board of Commissioners of Grant county, Indiana, done at a special session of said board, held on the 14th and 15th days of April, 1874, in relation to the hearing of petitions praying said board to order elections to be held in the townships of Mill and Fairmount in said county, and also to legalize the subsequent proceedings and orders made in pursuance of said elections, at their regular June sessions for the years 1874 and 1875.

Also, Engrossed Senate Bill No. 7. An act legalizing certain judgments rendered without the formal service of process and sales thereon, and declaring an emergency.

Also, Engrossed Senate Bill No. 10. An act to legalize all acts of notaries public, done and performed after their terms of office have expired.

Also, Engrossed Senate Bill No. 15. An act to amend section 528 of an act entitled "An act to revise and simplify the rules, practice and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Also, Engrossed Senate Bill No. 16. An act to amend section 529 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Also, Engrossed Senate Bill No. 19. An act to amend the 8th section of an act entitled "An act to amend act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein presented," approved March 6, 1865, approved March 8, 1873.

Also, Engrossed Senate Bill No. 25. An act to legalize the official acts, orders, ordinances, regulations and proceedings passed, adopted and executed by the board of trustees of the town of Marion,

Grant county, Indiana, under and in pursuance of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof," etc.

Also, Engrossed Senate Bill No. 33. An act to amend section 22 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 12, 1852.

Also, Engrossed Senate Bill No. 36. A bill to authorize the signing and filing of bills of exceptions beyond the term in criminal prosecutions.

Also, Engrossed Senate Bill No. 11. An act to abolish the Criminal Circuit Courts of the counties of Floyd and Clark, and to transfer the jurisdiction and business of said courts to the Circuit Courts of said counties respectively.

Mr. Carlton, from the committee on judiciary, submitted the following majority report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred Joint Resolution No. 11, entitled "A Joint Resolution asking for the repeal of the bankrupt law," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do lie upon the table.

Mr. Garver, from the same committee, submitted the following minority report:

MR. SPEAKER:

We, whose names are hereto attached, members of the House judiciary committee, being a minority of said committee, and disagreeing with the majority report, beg leave to report back to the House Joint Resolution No. 11, entitled "A joint resolution asking for the repeal of the bankrupt law," with the recommendation that it be adopted by the House.

Mr. Freeman moved that both reports and the resolution be re-committed with the following instructions:

Instruct committee to amend by preventing persons from voluntarily taking the benefit of the bankrupt act.

Mr. Branyan moved the previous question, which was seconded by the House, and the main question ordered.

Mr. Leeper moved that the motion to recommit with instructions be laid upon the table.

Which was agreed to.

The question recurring upon the adoption of the minority report.

The ayes and noes were demanded by Messrs. Craft and Garver.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McGaughey, Paige, Peelle, Perigo, Rea, Reiley, Spencer, Swayzee, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—80.

Those who voted in the negative were Messrs. Adams, Austin, Freeman, Grubbs, Langdon, McCarty, Priest, Reno and Thomas—9.

So the minority report was adopted and the majority report was ordered to lie upon the table.

The question now recurring upon the adoption of the resolution,

Those who voted in the affirmative were, Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freemer, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosman, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Riley, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—85.

Those who voted in the negative were Messrs. Langdon, Priest, Reno and Thomas—4.

So the joint resolution passed, and the Principal Clerk was directed to inform the Senate thereof.

Mr. Grubbs from the committee on the judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 59, entitled "A bill to authorize county commissioners to contract for the legal defense of indigent persons by annual contract," etc., have had the same under consideration and have directed me to report the same back to the House, with the recommendation that it do lie upon the table.

Which was concurred in, and the bill laid upon the table.

Mr. Garver moved to reconsider the vote concurring in the report of the committee laying House Bill No. 59 upon the table.

Which was agreed to.

Mr. Garver from the committee on judiciary submitted the following minority report :

MR. SPEAKER :

We, whose names are hereunto attached, being members of the judiciary committee of this House, being a minority of said committee and disagreeing with the majority report, beg leave to recommend that House Bill No. 59, entitled "A bill to authorize county commissioners to contract for the legal defense of indigent persons," do pass.

On motion of Mr. Gaver, further consideration of the reports and bill was postponed to next Thursday at 10 o'clock A. M.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 93, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie on the table.

Which was concurred in by the House and the bill laid upon the table.

Mr. Zehring moved an adjournment of the House.

Which was not agreed to.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 94, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which was concurred in by the House, and the bill laid upon the table.

Mr. Marsh, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 77, entitled "An act legalizing subscriptions for benevolent and other purposes, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Marsh from the committee on judiciary submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 95, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill was laid upon the table.

Mr. Foster of Monroe offered the following resolution :

Resolved, That the State Librarian be directed to furnish to each division of the House committees one set of Indiana Statutes (Gavin & Hord), one copy of the Laws of 1875, and one set each of the House and Senate Journals, session 1875; and that the clerks of said divisions be instructed to receipt for the same, and they are hereby directed to return the same to the State Librarian at the end of the present session.

Which was adopted.

Mr. Lanham offered the following resolution :

Resolved, That the Doorkeeper of the House be instructed to purchase a suitable desk or case, for the purpose of putting documents in that are placed in his care for the members of the House.

Which was not adopted.

By unanimous consent, Mr. Priest offered the following resolution :

Resolved, That no member of this House shall be permitted to speak more than ten minutes to the same question, without unanimous leave.

Which, under the rule, went over for consideration to-morrow.

By unanimous consent, Mr. Henderson offered the following resolution :

Resolved, That the committee on temperance inquire into the expediency of the passage of a law appropriating one-half of the amount derived annually from liquor license, for the creation of a fund for the building of an asylum for inebriates.

Which was referred to the committee on temperance.

By unanimous consent, Mr. Carlton offered the following resolution :

Resolved, That the jury system under the laws of this State, should be so amended that in the trial of civil causes, a jury of six shall constitute a full panel.

The question being upon the adoption of the resolution.

Messrs. Johnson of Carroll and Carlton demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Leeper, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami,

Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmer-
and Mr. Speaker—89.

No member voting in the negative.

So the resolution was adopted.

Mr. Smith was granted leave of absence until next Monday.

Pending the call of committees for reports, at the committee on
judiciary, on motion by Mr. Kennedy of Rush, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

JANUARY, 25, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. J. W. Lanham, the member from
the county of Jefferson.

On motion by Mr. Priest the reading of the journal was dis-
penssed with.

Mr. Grubbs moved that the pending order of business, being
reports from committees, be suspended and bills on second reading
be taken up.

Which was not agreed to.

Mr. Garver from committee on organization of courts submitted
the following report:

MR. SPEAKER:

Your committee on the organization of courts, to whom was re-
ferred House Bill No. 10, entitled "An act fixing the time of hold-
ing courts in the Eleventh Judicial Circuit," have had the same
under consideration, and have directed me to report the same back
to the House with the recommendation that the said bill do pass.

Which report was concurred in by the House, and the bill ordered
to be engrossed.

Mr. Compton, from the committee on the organization of courts,
submitted the following report:

MR. SPEAKER:

Your committee on the organization of courts, to whom was

referred House Bill No. 80, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill ordered to be laid upon the table.

Mr. Peelle, from the committee on the organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 6, entitled "An act to amend section 2 of an act entitled 'an act in relation to the order of business in the Circuit Court and giving the court powers to empanel special juries in certain cases,'" have had the same under consideration, and directed me to report the same back to the House with the recommendation that it lie upon the table.

Which report was concurred in by the House, and the bill laid upon the table.

Mr. Cole, from the committee on the organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 79, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Branyan, from the committee on the organization of courts submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 92, entitled "A bill to amend section 3 of an act entitled 'an act prescribing the powers of justices of the peace,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by striking out the words "to-wit" in line 13, and insert in lieu thereof "the words and figures. Section 3."

And they hereby further recommend that said bill when so amended, do pass.

Which report was concurred in by the House, and the bill as amended, ordered engrossed.

Mr. Collins, from the committee on the organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 117, entitled " A bill to amend section 10 of an act entitled 'an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases,' " have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do lie upon the table.

Mr. Garver, from the same committee, submitted the following minority report :

MR. SPEAKER :

The undersigned, a member of your committee on the organization of courts, disagreeing with the majority in their report on House Bill No. 117, entitled " A bill to amend section 10 of an act entitled 'an act providing for the election and qualification of justices of the peace and defining their jurisdiction, powers and duties in civil cases,' " beg leave to submit this as a minority report, with the recommendation that the said bill do pass.

On motion by Mr. Garver, further consideration of the bill and reports was postponed until next Thursday at 2 o'clock P. M.

Mr. Langdon, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to which was referred House Bill No. 53, entitled "An act authorizing the appointment of students to Purdue University by the board of commissioners of each county, and to provide for the admittance of such scholars, and defining their privileges therein," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be amended by striking out the words " the collegiate department in," from section 1 of said act, and the words "said department in " from section 1 of said act, and that when so amended it do pass.

Which report was concurred in by the House, and the bill ordered to be engrossed as amended.

Mr. Harper, from the committee on swamp lands, submitted the following report:

MR. SPEAKER:

Your committee on swamp lands have had under consideration House Bill No. 83, entitled "An act providing for the removal of drifts and other obstructions in water courses, and the draining of ponds and sloughs and penalties for obstructions thereof," have directed me to report the same back to the House, with the recommendation that it lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Wells, from the committee on military affairs, submitted the following report:

MR. SPEAKER:

Your committee on military affairs have had under consideration a concurrent resolution for the extension of time for application for pensions and for dating of pensions from muster-out or discharge, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in and the resolution adopted.

The Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Crumpacker, from the committee on swamp lands, submitted the following report:

MR. SPEAKER:

Your committee on swamp lands have had Joint Resolution No. 14, entitled "A joint resolution requesting the Governor to appoint a suitable person to revise and correct the swamp land books in the office of the Auditor of State," approved March 6, 1865, under consideration, and have directed me to report the same back to the House, with the recommendation that it do pass.

Which report was concurred in.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Hatfield, Houghton, Hauss, Henderson,

Highway, Harper, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—83.

No member voting in the negative.

So the joint resolution passed.

The Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Wells, from the committee on military affairs, submitted the following report :

MR. SPEAKER :

Your committee on military affairs have had under consideration Joint Resolution No. 10, "That all those who served in the Mexican war and were honorably discharged are justly entitled to a pension from the United States Government, and that our Senators be requested and our Representatives in Congress be instructed to use all their influence to secure the passage of a law granting without favor or discrimination to those who served in said war, for a period of sixty days or more, and were honorably discharged, the sum of eight dollars per month during their natural life," and have directed me to report the same back to the House with the recommendation that the same be adopted.

Mr. Lehman, from the same committee, submitted the following minority report :

MR. SPEAKER :

The undersigned, members of your military committee, beg leave to submit the following minority report, and recommend that it be adopted :

Resolved, That while we are willing to give the soldiers of the Mexican war all the credit possible for their valor and patriotism in responding to the call of their country for soldiers, and while we believe that all governments ought to hold in grateful remembrance those who have aided in defending or maintaining their government ; and while we hold that our Government is in duty bound to take care of all her soldiers who have become unable to maintain

themselves or their families by reason of wounds received, or disease contracted while in the line of duty as a soldier of the United States. Yet, while there are so many thousands of soldiers in our country who have voluntarily served their country as such, and who are not disabled thereby from supporting themselves or families, we think that the Government has fulfilled its part of the contract for said service.

AND WHEREAS, Our Government is now groaning under the burden of a great national debt contracted in the suppression of a great rebellion ;

AND WHEREAS, The granting of pensions to soldiers of the Mexican war would establish a precedent that would, in a few years, with equal justice, demand the granting of pensions to all the soldiers of the late war ;

AND WHEREAS, We do not believe that justice demands, or that it would be expedient to increase our national debt during the present hard times by granting pensions to the present large army of our ex-soldiers and sailors ;

AND WHEREAS, At least three members of your committee on military affairs who have signed the majority report are ex-soldiers of the Mexican war, and therefore could not consistently report adversely to the interest of their old comrades, therefore we recommend that Joint Resolution No. 10, requesting our Senators and instructing our Representatives in Congress to vote for such a law, do lie on the table.

On motion of Mr. Kennedy of Rush, the joint resolution and reports were made the special order for Friday, February 2d, at 10 o'clock A. M.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bills, to-wit :

Engrossed Senate Bill No. 43. An act entitled "An act to amend section 7 of an act concerning mortgages," approved May 4, 1852,

Also, Engrossed Senate Bill No. 35. An act amending sections 4 and 7 of an act entitled, "An act to enable the owners of wet lands to drain and reclaim them when the same can not be done without affecting the lands of others ; prescribing the powers and duties of

county Boards and county Auditors in the premises, and repealing all laws inconsistent therewith," approved March 11, 1867.

Also, Senate Joint Resolution No. 1. For the appointment of a committee to inquire into the feasibility of reducing legislative expensess.

Also, Senate Joint Resolution No. 6. A joint resolution for the extension of time for applications for pensions, and for dating of pensions from mustering out or discharge of applicant.

Also, Senate Concurrent Resolution as follows :

Resolved by the Senate, the House of Representatives concurring That the Governor be and is hereby requested to return House Bill No. 120 in relation to legalizing certain acts of the Common Council of the city of Greencastle, to the Senate.

And the same is hereby submitted to the House for its action thereon.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred the claim of Messrs. Dodd and McKinney for grading, paving and curbing the north sidewalk on Washington street from Tennessee to Mississippi streets, have had said claim under consideration, have fully investigated the same, and I am directed to report it back to the House with the recommendation that it be allowed, and referred to committee on ways and means and incorporated in the specific appropriation bill.

Which report was concurred in, and the claim referred to the committee on ways and means for incorporation in the specific appropriation bill.

Mr. Morgan from the committee on rights and privileges submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 52 entitled, " An act to define the time and persons by whom quails may be netted or trapped, fixing the penalty, etc.," have had the same under consideration and have directed me to report the same back to the House with the recommendation that the same be amended.

By striking out all of said bill after the enacting clause, and substituting the following sections :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That it shall be unlawful to shoot, net, trap, kill or otherwise destroy quails in this State for a period of five years from and after the passage of this act.

SEC. 2. Any person violating any of the provisions of this act, shall on conviction, be fined in the sum of one dollar for each and every quail so shot, netted, trapped, killed or destroyed.

SEC. 3. If any person shall be found in possession of any quail or quails within the period above mentioned, such possession shall be prima facie evidence that the same was shot, netted, trapped, killed or otherwise destroyed by such person in violation of the provision of this act.

SEC. 4 That it shall be unlawful for any agent or officer of any express company or railroad company or any other person or persons to receive or transport any quails which have been killed, taken or captured in violation of any of the provisions of this act, and any agent, officer or other person so offending, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined the sum of one dollar for each quail so received or transported.

SEC. 5. Any act or parts of acts coming in conflict with any of the provisions of this act are hereby repealed.

That said committee further recommend that when said bill be so amended it do pass.

Which report was concurred in and the bill as amended ordered to be engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 85, entitled "An act to amend section 1 of an act entitled 'an act providing for the protection of fish, and repealing all laws inconsistent with the same, and prescribing penalties,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Carson, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges have had under consideration House Bill No. 84, entitled "An act to prevent and punish the giving of bribes, presents and gifts to public officers, and to prevent and punish the taking or accepting of bribes, presents and gifts by public officers, and prevent the corruption in the civil services of the State flowing from such corrupt practices," and recommend that it lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business to whom was referred House Bill No. 110, and amendment entitled, "An act to amend section 27 of an act entitled 'an act fixing the fees, salaries, duties and compensation of officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws,'" approved March 12, 1875, have had the same under consideration, and direct me to report the same back to the House and recommend its indefinite postponement.

Which report was concurred in by the House and the bill indefinitely postponed.

Mr. Crumpacker from the committee on county and township business submitted the following report :

MR. SPEAKER :

Your committee on county and township business have had under consideration House Bill No. 75 entitled "An act limiting the term of office of township trustees," and directed me to report the same back to the House, with the recommendation that it do pass.

Mr. Koontz, from the same committee, submitted the following minority report :

MR. SPEAKER :

Your committee to which was referred House Bill No. 75, providing that no person shall be eligible to the office of township trustee more than four years in any period of six years, have had the

same under consideration, and ask leave to submit the following minority report, to-wit: That the bill do lie upon the table.

Mr. Wells moved to lay the minority report upon the table.

Which was agreed to.

The question recurring upon a concurrence in the majority report,

Mr. Morgan moved that the bill be recommitted to the committee with the following instructions:

That the following section be added thereto: "Section 2. That no man who is selling intoxicating liquors of any kind shall be competent to hold the office of township trustee."

Which was not agreed to.

The question recurring again upon a concurrence in the report of the majority,

Mr. Hauss moved the previous question, which was seconded by the House, and the main question ordered by consent.

Whereupon the report of the committee was concurred in, and the bill ordered to be engrossed.

Mr. Askren, from the committee on county and township business, submitted the following report.

MR. SPEAKER:

Your committee on county and township business have had under consideration House Bill No. 81, entitled "An act to amend section 14 of an act entitled 'an act to provide for uniform assessment of property, and for the collection and return of taxes, etc.," and have directed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Mr. Chawner moved the previous question, which was seconded by the House, and the main question ordered by consent.

The question being upon a concurrence in the report of the committee, Messrs. Garver and Mathews demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Copeland, Crumpacker, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Houghton, Henderson, Highway, Harper, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews,

Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Priest, Rea, Reno, Riley, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thompson of Miami, Welborn, Whitehead, Warrum, Zehring, Zimmerman and Mr. Speaker—75.

Those who voted in the negative were Messrs. Albert, Ames, Austin, Cook, Craft, Endsley, Freeman, Garver, Hauss, Hulet, Peelle, Perigo, Spencer and Wells—14.

So the report was concurred in and the bill indefinitely postponed.

Mr. Rea, from the committee on county and township business submitted the following report:

MR. SPEAKER:

Your committee on county and township business to which was referred House Bill No. 113, entitled "A bill defining the powers of county commissioners, and limiting them in certain cases," have had the same under consideration and have directed me to report the same back to the House, with the recommendation that the same be amended as follows:

1. By striking out the words and figures (\$25,000) twenty-five thousand dollars and inserting in the line thereof, the words "thirty thousand dollars."

2. When the same when so amended do pass.

Which report was concurred in and the bill as amended ordered to be engrossed.

Mr. Kimmel, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to which was referred House Bill No. 63, entitled "An act requiring distribution of the school and road laws to the several trustees," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Koontz, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to which was

referred House Bill No. 119, entitled "An act defining the qualifications of township trustees," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to which was referred House Bill No. 102, entitled "An act to regulate the disbursement of county funds," have had the same under consideration, and have directed me to report it back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Gossman from the committee on county and township business submitted the following report :

MR. SPEAKER :

Your committee on county and township business to whom was referred House Bill No. 46 entitled "An act to prevent domestic animals from running at large, and regulating the same," together with the amendments thereto, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do not pass.

Leave of absence was granted to Mr. Lockhart until Monday, and to Mr. Viehe until the same time.

Pending the question of concurrence in the report of the committee on county and township business on House Bill No. 46, on motion of Mr. Carr the House adjourned.

AFTERNOON SESSION,

THURSDAY, January 25, 1877.

The House met, with the Speaker in the chair.

Consideration of the report from the committee on county and

township business on House Bill No. 46, pending at adjournment, was resumed.

Mr. Hulet made the following motion :

I move that the further consideration of this matter be postponed until 10 o'clock A. M. next Tuesday, when it shall be the special order for the day, and that the committee be instructed to report on all bills that have been referred to them on this subject, and that they make such report on or before the day above mentioned.

Mr. Johnson of Carroll moved that the motion be laid upon the table.

Which was agreed to.

The question recurring upon a concurrence in the report.

Mr. Carlton moved the previous question, which was seconded by the House and the main question ordered by consent, whereupon, the report was concurred in, and the bill laid upon the table.

Mr. Johnson of Dearborn, from the committee on agriculture, submitted the following report :

MR. SPEAKER :

Your committee on agriculture, to whom was referred House Bill No. 105, providing for the removal of rails and plank fencing from overflowed lands, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in by the House, and the bill ordered to be engrossed.

Mr. Thomson of Howard and Miami from the committee on federal relations, submitted the following report :

MR. SPEAKER :

The committee on federal relations to whom was referred Joint Resolution No. 7, in relation to the silver coinage of the United States, having carefully examined said resolution, direct me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the question being upon the passage of the Joint Resolution, Mr. Hall moved the following amendment thereto :

I move to strike out the words "speedy enactment of a law of Congress resorting the legal tender quality of the silver dollar of the coinage of 1792, and making the same a legal tender for the

payment of all debts, public and private," and insert, "The repeal of all laws limiting the use of silver coin as a legal tender, and to procure an amendment of the mint laws so as to allow the coinage of silver on the same terms as the coinage of gold."

Mr. Langdon moved the following amendment to the amendment:

I move to amend by adding after the words "debts, public and private," the words "except debts payable in gold."

Mr. Branyan moved to lay the amendment to the amendment upon the table.

Which was agreed to.

The question recurring upon the amendment, on Mr. Spencer's motion it was laid upon the table, and the question being now upon the adoption of the joint resolution.

Mr. Lanham offered the following amendment thereto:

I move to amend by striking out the words "coinage of 1792," and inserting in lieu thereof the words "coinage under the act of 1792."

Which, on Mr. Langdon's motion, was laid upon the table, and the question again recurring upon the adoption of the resolution.

Mr. Peele offered the following amendment thereto.

Which was accepted by Mr. Morgan, the author of the resolution, viz.:

I move to amend by inserting after the words "public and private," the words "except as otherwise provided by law."

The question again recurring upon the passage of the joint resolution.

Mr. Lane moved the following amendment thereto:

I move to strike out the word "therein" and insert in its stead "herein."

Which, on motion of Mr. Morgan, was laid upon the table.

Mr. Lehman moved the previous question, which was seconded by the House, and the main question ordered by consent.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Arkren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of

Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—88.

Mr. McCarty voting in the negative.

So the joint resolution passed.

The Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Foster, of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, have had under consideration House Bill No. 37, entitled an act to amend section eight of an "An act to repeal all general laws for the incorporation of cities, prescribing their powers and duties, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertains thereto," approved March 14th, 1867.

Recommend the following amendments:

In line seventeen of the second page, after the word "the," add the word "clerk."

In line twenty-two of the second page, after the word "the," add the word "clerk."

In line two of the third page, after the word "such," add the word "clerk," and with the amendments the committee recommend the passage of the bill.

Which report was concurred in and the bill ordered to be engrossed as amended.

Mr. Foster, of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, have had under consideration House Bill No. 45, entitled "An act to amend an act approved March 10th, 1873, amendatory to section 15 and 16 of an act entitled "An act for the incorporation of towns, defining their power, providing for the election of officers and their duties," and have directed me to recommend it passage.

Which was concurred in and the bill ordered to be engrossed.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads to whom was referred a petition, No. 28, by the citizens of White River township, Hamilton county, entitled "A petition to change a road in said county," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which was concurred in and the petition laid upon the table.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 34, entitled "An act authorizing boards of county commissioners to construct gravel, macadamized or paved roads upon petition of a majority of resident land-owners along and adjacent to the line of any road, authorizing them to issue bonds of the county to raise money required for that purpose, and provide for the payment of such bonds by taxing lands adjacent to the road, repealing all existing laws for the construction of free gravel, macadamized or paved roads," have had the same under consideration, and recommend the following amendments, to-wit :

1. Amend section 2 by inserting the word "next" before the word "prior" in line 6, page 3.

2. Amend section 3 by inserting after the word "them" in line 16, page 4, the following words: "Within ten days after the completion of the survey of said road by said viewers."

3. Amend section 3 by inserting after the word "jury" in line 26, page 4, the following words: "Which jury shall be composed of five disinterested persons, two of whom shall be chosen by the county commissioners and two by the claimant, and the fifth by the four thus appointed, who shall examine the premises and determine the questions in dispute, and their decision shall be final."

4. Amend section 3 by striking out all of said section from and after the word "jury" in line 26, page 4.

5. Amend section 4 by inserting after the word "land" in line 21, page 6, the following words: "provided that where lands are liable to be assessed under this act for the construction of two or more roads, the viewers shall take into consideration this fact, in assessing benefits."

6. Amend section 5 by inserting after the word "expedient" in line 12, page 9, the following :

Provided further, That notice of such letting shall be given by publication in a newspaper in the country, for two weeks next prior to such letting, and all bids shall be sealed, when filed, but no bid shall be accepted which exceeds the estimated cost, and the engineers and commissioners shall have the right to reject any and or all bids."

7. Amend section 13 by striking out all of said section from the word "all" in line 11, page 20, to and inclusive of the word "repealed" in line 13, page 20, and inserting the following: "All laws or parts of laws for the construction of free gravel, macadamized, or paved roads, in conflict with this act, are hereby repealed," and have directed me to report the same back to the House, with the unanimous recommendation that when so amended, it do pass.

Which report was concurred in and the bill as amended ordered to be engrossed, and on motion of Mr. Reno it was ordered that two hundred copies thereof be printed for the use of the House.

Mr. Hall, from the committee on dykes and drains, submitted the following report :

MR. SPEAKER:

Your committee on dykes and drains, to whom was referred House Bill No. 2, have had the same under consideration, and have directed me to report the same back to the House, with the following amendments, to-wit :

1. That said bill be amended by inserting the words "Section 1" after the word "to-wit," in line five of Section 1 of said bill."

2. That said bill be amended by striking out the words "or instead thereof, by posting three printed or written notices in three public places in the vicinity of the proposed work," commencing on line thirty-seven of Section 1 of said bill.

3. That said bill be further amended by striking out the word "posting," in line forty-two of section 1 of said bill.

4. That said bill be further amended by inserting the words "Section 8" after the words "as follows," in line five of section 2 of said bill.

5. That said bill be further amended by striking out the words "the preceding," in line eleven of section 2, and insert in lieu thereof the word "just."

6. That the bill be further amended by inserting the words

“Section 9” after the words “as follows,” in line four of section 3 of said bill.

And your committee further recommend that said bill, when so amended, do pass.

Which report was concurred in and the bill ordered to be engrossed as amended.

The Speaker laid before the House the following communication from Attorney-General C. A. Buskirk :

MR. SPEAKER :

I have the honor to acknowledge the receipt of a resolution respecting the claim of Patrick Shannon, adopted by the House of Representatives on the 20th inst.

In answer to the inquiry therein contained I respectfully State that on the 31st day of March, 1875, I made the following report to the Auditor of State, attached hereto as “Exhibit A.”

Very respectfully, etc.,

C. A. BUSKIRK,
Attorney-General Indiana.

[EXHIBIT A.]

OFFICE OF ATTORNEY GENERAL,
INDIANAPOLIS, March 31st, 1875.

HON. E. HENDERSON,
Auditor of State,

SIR:—The specific appropriation act, approved March 16, 1875, contains the following:

“SECTION 15. That Patrick Shannon be allowed the sum of twenty-five hundred dollars, in full for salary and contingent expenses of the office of Agent of State for the years 1871, 1872 and 183: *Provided*, That this allowance shall not be paid until the Attorney General has filed with the Auditor his official statement that he has carefully examined the law and the facts in this case, and has found the State justly and equitably owing the aforesaid sum to the said Patrick Shannon.”

In discharge of the duty thus imposed upon me, I have made a careful investigation, the results of which are stated below :

Mr. Shannon's claim in this matter was referred to the committee on claims of the House of Representatives of the General Assembly of 1875, in the sum of \$2,955.66, which amount included a claim

for interest on account of delay in payment. The committee reported favorably on the claim, making the following indorsement thereon: "It was unanimously allowed. E. T. Keightley, chairman."

The House thereupon incorporated an allowance to Mr. Shannon in the specific appropriation bill which was passed by that body, upon being sent to the Senate the chairman of the committee on finance, opposed the allowance of the claim, and the vote of the Senate was against the allowance of the claim, and it was struck out of the specific appropriation bill. The House refused to concur in such action of the Senate, and the result was a conference committee of the Senate and House. "We have agreed that the Senate shall recede from its amendment striking out Section 19, which allows Patrick Shannon the sum of \$2,955.54, and that the same to be restored to the bill so as to read as follows, to-wit: " Then follows the section quoted at the commencement of this report. In order to ascertain what amounts have been paid to the several agents of State, I have traced back the appropriation acts and found as follows:

The general appropriation acts of 1855 and 1856 appropriated to the Agent of State for the two years 1865 and 1866, for salary and incidental expenses the sum of \$10,800 (See Acts, Reg. Session 1865, pp. 37 and 42.) The general appropriation acts for 1867 and 1868 appropriated to the Agent of State, for the two years 1867 and 1868, for salary and incidental expenses, \$10,000. (See Acts, Reg. Session, 1867, pp. 3 and 8.) The general appropriation act for 1869 and 1870 appropriated to the Agent of State for the two years 1869 and 1870, for salary and incidental expenses, \$10,000. (See Acts, Special Session, 1869, pp. 3 and 9.)

Previous to this the appropriations for the agent of State were not uniform in amount. Owing to the premature adjournment of the Legislature in 1871, no appropriation act was passed, and therefore the two years during which Mr. Shannon was Agent of State, were left unprovided for. I can not undertake to say how much the services of the Agent of State have been worth, or in what sum they should have been paid for by the State. I know of no method of determining what is just and proper, except to ascertain what rule has been established by the Legislature, whose peculiar province it is to fix the pay of public officers. According to this rule Mr. Shannon would be entitled for the two years, February 10th, 1871 to February 10th, 1873, during which he was Agent of State, to \$10,000; upon this amount he has been paid in all as I am

informed by the Auditor of State, from a careful inspection of the books and vouchers, in his office the sum of \$7,361.12; leaving a balance due to Mr. Shannon of \$2,638.88.

I therefore report in favor of the payment to Patrick Shannon of the sum of twenty-five hundred dollars pursuant to the provisions of the specific appropriation approved March 16th, 1875.

C. A. BUSKIRK,

Att'y General of State.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 40. A bill fixing the times of holding circuit courts in the several counties of the Thirtieth Judicial Circuit.

And the same is herewith submitted to the House of Representatives for enrollment and the signature of the Speaker thereof.

Also, Engrossed House Bill No. 9. A bill to amend section 70 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and declaring an emergency, with the following amendment, to-wit : Strike out the first two words of the title, "A bill," and insert instead thereof the words "An act."

And the same is herewith submitted to the House of Representatives for concurrence therein.

Mr. Priest called up his resolution of yesterday amending the rules of the House, so as to provide that no member in debate shall speak for more than ten minutes without the unanimous consent of the House.

Mr. Johnson, of Carroll, offered the following amendment thereto :

I move to amend by striking out the word "ten," and inserting the word "five."

Which amendment was accepted by Mr. Priest.

On motion by Mr. Foster of Allen, the resolution was laid upon the table.

By unanimous consent, Mr. Yaryan from committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts, to which was referred House Bill No. 68, have had the same under consideration and directed me to report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Yaryan presented the memorial of justices of the peace and constables of Wayne township, Wayne county, Indiana, setting forth their opinions on various matters and requirements of their respective official stations.

Which, without reading, was referred to the committee on organization of courts.

Mr. Carlton moved that the order of business be suspended and House Bill No 58, a bill for the relief of Wm. A. Jordan, former Treasurer of Perry county, Indiana, and Thomas J. Cutler, Frederick Connor, John T. Connor, Joseph Meyer, Hiram W. Simonds, Sam. K. Connor, Solomon Salm, John C. Shoemaker, William V. Reynolds, James Hardin, Adam Ackerman, Hamilton Smith, Jr., Frederick Hahn, Edward B. Cutler and Hiram Carr, sureties on the official bond of the said William A. Jordan, Treasurer as aforesaid, and to authorize the Auditor and Treasurer of State, and the Auditor and Treasurer of Perry county to perform certain duties connected therewith, with the report of the committee on judiciary thereon, be taken up.

Which was agreed to.

The question being upon the concurrence in the report of the committee recommending the passage of the bill.

Mr. Claypool demanded the previous question, which was seconded by the House, and the main question ordered by consent.

Messrs. Carson and Baxter demanding the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ashby, Benz, Cary, Carlton, Cole, Collins, Compton, Endsley, Garver, Girtton, Gossman, Grubbs, Hall, Hatfield, Hauss, Henderson, Lehman, Rea, Spencer, Stewart, Thompson of Elkhart, Warrum and Mr. Speaker—24.

Those who voted in the negative were Messrs. Adams, Ames, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Carr, Carson,

Chawner, Claypool, Coffman, Conley, Cook, Copeland, Craft, Crum-
 packer, Dannettell, Elwell, Foster of Allen, Freeman, Fromm,
 Guthrie, Houghton, Highway, Harper, Hosmer, Hubbard, Hulet,
 Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Ken-
 nedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham,
 Leeper, Little, Madden, Mathews, Merriman, Moorman, Morgan,
 McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Reno, Riley,
 Swayzee, Thomas, Thompson of Howard, Thomson of Miami,
 Welborn, Whitehead, Wells, Yaryan, Zehring and Zimmerman
 —64.

So the report was not concurred in, and the bill laid upon the table.

On motion by Mr. Carr, the House adjourned.

(Approved.)

JOHN OVERMYER,
 Speaker of the House of Representatives.

FRIDAY MORNING.

JANUARY 26, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. Father Bessonies, of St. John's Ca-
 thedral.

On motion by Mr. Moorman, the reading of the journal was
 dispensed with.

By unanimous consent Mr. Lehman offered the following resolution:

Resolved, That during the remainder of the session, Wednesday
 of each week shall be set aside for the reading of bills upon their
 third reading.

Which under the rule was laid over until to-morrow.

By unanimous consent, Mr. Wells introduced House Bill No. 272.

A bill providing for the contracting and repairing roads and high-
 ways, defining the duties of township trustees, electing road super-
 visors and defining their duties, and other matters connected there-
 with; levying a road tax, repealing all conflicting laws and de-
 claring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

By unanimous consent, Mr. Morgan introduced House Bill No. 273. A bill to amend section 7 of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852.

Which was read a first time and passed to a second reading on to-morrow.

By unanimous consent of the House, Mr. Carson moved that House Bill No. 80, with the report thereon, be recommitted to the committee on organization of courts.

Which was agreed to.

The House proceeded to consider business on the Speaker's table.

The Speaker announcing messages from the Senate to be in order; whereupon,

House Bill No. 9, with the the amendment of the Senate thereto, was taken up and the amendment concurred in.

The Senate concurrent resolution authorizing the State Librarian to sell certain statutes in his charge, was read and adopted.

The Senate concurrent resolution authorizing the employment of an expert accountant by the prison committees during the investigation of the State's prisons, was taken up and laid upon the table.

The following Senate Concurrent Resolution was taken up :

Resolved by the Senate, the House of Representatives, concurring, That our Senators in Congress be respectfully requested to use their influence for the passage in the United States Senate of the House Bill No. 511, which passed the House of Representatives in February, 1872, extending the time for ex-officers and soldiers of volunteers to apply for pensions until January, 1880, and paying such pensions from the date of muster-out or discharge of applicant.

Which was adopted.

Engrossed Senate Joint Resolution No. 1, for the appointment of a committee to inquire into the feasibility of reducing legislative expenses, was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Asaby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Conley,

Cook, Craft, Crumacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kennedy of Rush, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—85.

No member voting in the negative.

So the joint resolution passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

By unanimous consent, Mr. Yaryan offered the following resolution, which was adopted :

Resolved, That the Doorkeeper be requested to procure and place upon the desks of members and Senators, one copy each, of the financial report of Hon. J. M. Ridenour, Indiana State Centennial Treasurer.

SENATE BILLS ON FIRST READING.

Engrossed Senate Bill No. 36. An act to amend section 120 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 16. An act to amend section 529 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 6. An act to legalize the official acts of the Board of Commissioners of Grant county, Indiana, done at a special session of said board held on 'the 14th and 15th of' April,

1874, in relation to the hearing of petitions praying said board to order elections to be held in the townships of Mill and Fairmount, in said county; and also to legalize the subsequent proceeding and orders made in pursuance of said elections at their regular June sessions for the years 1874 and 1875.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 33. An act to amend section 1 of "An act to amend section 22 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties,'" approved June 11, 1852, approved March 2, 1855.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 25. An act to legalize the official acts, orders, ordinances, regulations and proceedings passed, adopted and executed by the Board of Trustees of the town of Marion, Grant county, Indiana, under and in pursuance of an act entitled, "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 15. An act to amend section 528 of an act entitled, "An act to revise and simplify the rules, practice and forms in civil cases in the courts of this State, to abolish distinct form of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 11. An act to abolish the Criminal Circuit Courts of the counties of Floyd and Clark, and to transfer the jurisdiction and business of said courts to the Circuit Courts of said counties respectively."

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 10. An act to legalize all acts of notaries public, done and performed after their term of office has expired.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 7. An act legalizing certain judgments rendered without the formal service of process and sales thereon, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 43. An act entitled an act to amend section 7 of "An act concerning mortgages," approved May 4, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 35. An act amending sections 4 and 7 of an act entitled "An act to enable the owners of wet lands to drain and reclaim them where the same cannot be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith," approved March 11, 1867.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 19. An act to amend the eighth section of an act entitled, "An act to amend an act entitled, 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, approved March 8, 1873.

Which was read a first time and passed to a second reading on to-morrow.

HOUSE BILLS ON THIRD READING.

Engrossed House Bill No. 99. A bill supplemental to an act to provide for the regulation of the running at large of all kinds of animals within the different counties in this State, and to provide for the taking up, impounding and selling all such animals as shall not be allowed by law to run at large, approved May 3, 1852, was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Conley, Copeland, Craft, Crum-packer, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Haughton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Riley, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—74.

Those who voted in the negative were Messrs. Askren, Austin, Baxter, Benz, Cook, Conley, Foster of Allen, Garver, Koontz, Lanham, Paige, Rea and Reno—13.

So the bill passed.

The Principal Clerk of the House was directed to inform the Senate thereof.

Leave of absence was granted to Mr. Marsh until to-morrow and to Messrs. Fromm and Whitehead until Tuesday morning.

Engrossed House Bill No. 8 entitled a bill to exempt section one of the act entitled "An act to exempt property from sale in certain cases," approved February 17, 1852, and adding a supplemental section thereto was taken up, read the third time and the question being, shall the bill pass?

Mr. Adams made the following motion:

Moved, that the bill be recommitted with instructions to amend section 2, by inserting after the words "working tools and implements," "of any individuals residing in this State."

Which was not agreed to.

Pending consideration of House Bill No. 8, on motion by Mr. Foster of Allen, the House adjourned.

AFTERNOON SESSION,

FRIDAY, January 26, 1877.

The House met, with the Speaker in the chair.

Consideration of House Bill No. 8, pending at morning adjournment was resumed.

Mr. Freeman demanded the previous question, which was seconded by the House, and the question being "shall the bill pass?"

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Baxter, Bumgarner, Butler, Cary, Chawner, Comp-ton, Craft, Endsley, Foster of Allen, Freeman, Garver, Grubbs, Hall, Hauss, Henderson, Harper, Hubbard, Johnston of Carroll, Kimmell, Lane, Langdon, Leeper, Moorman, Morgan, McGaughey, Peelle, Priest, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Wells, Warrum, Zehring and Zimmerman—40.

Those who voted in the negative were Messrs. Ashby, Askren, Benz, Branyan, Carr, Carson, Claypool, Coffman, Cole, Collins, Conley, Cook, Copeland, Crumpacker, Dannettell, Elwell, Fromm, Girton, Gossman, Guthrie, Hatfield, Houghton, Highway, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Lanham, Lehman, Little, Madden, Mathews, Merriman, McCarty, Paige, Perigo, Rea, Reno, Riley, Spencer, Stewart, Wel-born, Yaryan and Mr. Speaker—46.

So the bill failed to pass.

Mr. Mathews moved to take up House bills on the second reading.

Which was agreed to.

House Bill No. 123 introduced by Mr. Coffman, was read a second time and referred to the select committee on State Board of Health.

House Bill No. 124 introduced by Mr. Cook, was read the second time and referred to the committee on judiciary.

House Bill No. 125 introduced by Mr. Cook, was read the second time and referred to the committee on agriculture.

House Bill No. 126 introduced by Mr. Johnson of Carroll, was read the second time and referred to the committee on organization of courts.

House Bill No. 127 introduced by Mr. Marsh, was read the second time and referred to the committee on judiciary.

House Bill No. 128 introduced by Mr. Compton was read the second time and referred to the committee on judiciary.

House Bill No. 129 introduced by Mr. McCarty, was read the second time and referred to the committee on fees and salaries.

House Bill No. 130, introduced by Mr. McCarty, was read the second time and referred to the committee on judiciary.

House Bill No. 131, introduced by Mr. Koontz, was read the second time and referred to the committee on elections.

House Bill No. 132, introduced by Mr. Claypool, was read the second time, and referred to the committee on county and township business.

House Bill No. 133, introduced by Mr. Fromm, was read the the second time and referred to the committee on the organization of courts.

House Bill No. 134, introduced by Mr. Garver, was read the second time and referred to the organization of courts.

House Bill No. 135, introduced by Mr. Warrum, was read the second time and referred to the committee on county and township business.

House Bill No. 136, introduced by Mr. Warrum, was read the second time and referred to the committee on railroads.

House Bill No. 137, introduced by Mr. Branyan, was read a second time and referred to the committee on organization of courts.

House Bill No. 138, introduced by Mr. Lanham, was read a second time and referred to the committee on roads.

House Bill No. 139, introduced by Mr. Harper, was read a second time and referred to the committee on the judiciary.

House Bill No. 140, introduced by Mr. Henderson, was read a second time and referred to the committee on corporations.

House Bill No. 141, introduced by Mr. Henderson, was read a second time and referred to the committee on judiciary.

House Bill No. 142, introduced by Mr. Smith, was read a second time and referred to the committee on county and township business.

House Bill No. 143, introduced by Mr. Smith, was read a second time and referred to the committee on fees and salaries.

House Bill No. 144, introduced by Mr. Adams, was read a second time and referred to the committee on cities and towns.

House Bill No. 145, introduced by Mr. McGaughey, was read a second time and referred to the committee on rights and privileges.

House Bill No. 146, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 147, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 148, introduced by Mr. Peelle, was read a second time and referred to the committee on rights and privileges.

House Bill No. 149, introduced by Mr. Craft, was read a second time and referred to the committee on judiciary.

House Bill No. 150, introduced by Mr. Craft, was read a second time and referred to the committee on insurance.

House Bill No. 151, introduced by Mr. Zehring, was read the second time and referred to the committee on county and township business.

House Bill No. 152, introduced by Mr. Scott, was read the second time and referred to the committee on roads.

House Bill No. 153, introduced by Mr. Foster of Monroe, was read a second time and referred to the committee on roads.

House Bill No. 154, introduced by Mr. Foster of Monroe, was read a first time and referred to the committee on cities and towns.

House Bill No. 155, introduced by Mr. Foster of Monroe, was read a second time and referred to the committee on cities and towns.

House Bill No. 156, introduced by Mr. Grubbs, was read a second time and referred to the committee on education.

House Bill No. 157, introduced by Mr. Hall, was read a second time and referred to the committee on organization of courts.

House Bill No. 158, introduced by Mr. Hall, was read a second time and referred to the committee on judiciary.

House Bill No. 159, introduced by Mr. Reno, was read a second time and referred to the committee on insurance.

House Bill No. 160, introduced by Mr. Freeman, was read a second time and referred to the committee on agriculture.

House Bill No. 161, introduced by Mr. Freeman, was read a second time and referred to the committee on county and township business.

The Speaker announced the appointment on the part of the House of the following members of the joint committee on reduction of legislative expenses under Senate Joint Resolution No. 1, viz: Messrs. Craft, Claypool, Hall and Reno.

Mr. Craft moved that the House take a recess to half past seven o'clock, which, on Mr. Morgan's motion was laid on the table.

House Bill No. 162 introduced by Mr. Stewart, was read the second time and referred to the committee on education.

House Bill No. 163 introduced by Mr. Stewart, was read the second time and referred to the committee on rights and privileges.

House Bill No 164 introduced by Mr. Welborn, was read the second time and referred, with an amendment thereto offered by Mr. Branyan, to the committee on county and township business.

Mr. Carr demanded a call of the roll of the House.

The Principal Clerk proceeded to call the roll.

Those who answered to their names were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Cook, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Henderson, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Paige, Peelle, Priest, Rea, Reno, Riley, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Wells, Warrum, Zehring and Mr. Speaker—70.

By consent, further proceedings under the call were dispensed with.

House Bill No. 165, introduced by Mr. Welborn, was read the second time and referred to the committee on elections.

House Bill No. 166, introduced by Mr. Crumpacker, was read the second time and referred to the committee on education.

House Bill No. 167, introduced by Mr. Crumpacker, was read the second time and referred to the committee on county and township business.

House Bill No. 168, introduced by Mr. Priest, was read the second time and referred to the committee on railroads.

House Bill No. 169, introduced by Mr. Moorman, was read the second time and referred to the committee on the organization of courts.

House Bill No. 171, introduced by Mr. Kennedy of Rush, was read the second time and referred to the committee on the organization of courts.

House Bill No. 172, introduced by Mr. Girton, was read the second time and referred to the committee on agriculture.

Leave of absence until Tuesday morning was granted to Messrs. Crumpacker, Conley, Hosmer, Zimmerman, Austin, Highway and Perigo, and to Messrs. Foster of Monroe and Carlton until to-morrow morning.

Pending the second reading of House bills, on motion by Mr. Branyan, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING,

JANUARY 27, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Mr. Moorman, the member from Randolph.

On motion by Mr. Peelle, the reading of the journal was dispensed with.

House bills on second reading were taken up, whereupon,

House Bill No. 170, introduced by Mr. Elwell, was read a second time and referred to the committee on roads.

House Bill No. 173, introduced by Mr. Ashby, was read a second time and referred to the committee on organization of courts.

House Bill No. 174, introduced by Mr. Coffman, was read a second time and referred to the committee on cities and towns.

House Bill No. 175, introduced by Mr. Leeper, was read a second time and referred to the committee on rights and privileges.

House Bill No. 176, introduced by Mr. Langdon, was read a second time and referred, with the amendment proposed by Mr. Branyan, to the committee on organization of courts.

House Bill No. 177, introduced by Mr. Oglebay, was read a second time and referred to the committee on rights and privileges.

House Bill No. 178, introduced by Mr. Kennedy of Union, was read a second time and referred to the committee on fees and salaries.

House Bill No. 179, introduced by Mr. Mathews, was read a second time and referred to the committee on education.

House Bill No. 180, introduced by Mr. Carlton, was read a second time and referred to the committee on education.

House Bill No. 181, introduced by Mr. Carlton, was read a second time and referred to the committee on judiciary.

House Bill No. 182, introduced by Mr. Yaryan, was read a second time and referred to the committee on railroads.

House Bill No. 183, introduced by Mr. Yaryan, was read a second time and referred to the committee on prisons.

House Bill No. 184, introduced by Mr. Carr, was read a second time and referred to the committee on rights and privileges.

House Bill No. 185, introduced by Mr. Overmyer, was read a second time and referred to the committee on claims.

House Bill No. 186, introduced by Mr. Viehe, was read a second time and referred to the committee on judiciary.

House Bill No. 187, introduced by Mr. Riley, was read a second time and referred to the committee on county and township business.

House Bill No. 188, introduced by Mr. Riley, was read a second time and referred to the committee on ways and means.

House Bill No. 189, introduced by Mr. Riley, was read a second time and referred to the committee on ways and means.

House Bill No. 191, introduced by Mr. Austin, was read a second time and referred to the committee on organization of courts.

House Bill No. 192, introduced by Mr. Foster of Allen, was read a second time and referred to the committee on roads.

House Bill No. 193, introduced by Mr. Cook, was read a second time and referred to the committee on ways and means.

House Bill No. 194, introduced by Mr. Bumgarner, was read a second time and referred to the committee on agriculture.

House Bill No. 195 introduced by Mr. Bumgarner, was read a second time and referred to to the select committee on State Board of Health.

House Bill No. 196 introduced by Mr. Compton, was read a second time and referred to the committee on judiciary.

House Bill No. 197 introduced by Mr. Paige, was read a second time and referred to the committee on county and township business.

House Bill No. 198 introduced by Mr. Paige, was read a second time and referred to the committee on judiciary.

House Bill No. 199 introduced by Mr. Paige, was read a second time and referred to the committee on drains and dykes.

House Bill No. 200 introduced by Mr. Paige, was read a second time and referred to the committee on temperance.

House Bill No. 201 introduced by Mr. Benz, was read a second time and referred to the committee on education.

House Bill No. 202, introduced by Mr. Benz, was read a second time and referred to the committee on elections.

House Bill No. 203, introduced by Mr. Johnson of Dearborn, was read a second time and referred to the committee on cities and towns.

House Bill No. 204, introduced by Mr. Johnson of Dearborn, was read a second time and referred to the committee on roads.

House Bill No. 205, introduced by Mr. Lockhart, was read a second time and referred to the committee on the organizations of courts.

House Bill No. 206, introduced by Mr. Lockhart, was read a second time and referred to the committee on railroads.

House Bill No. 207, introduced by Mr. Kountz, was read a second time and referred to the committee on roads.

House Bill No. 208, introduced by Mr. Gossman, was read a second time and referred to the committee on judiciary.

House Bill No. 209, introduced by Mr. Gossman, was read a second time, and referred to the committee on judiciary.

House Bill No. 210, introduced by Mr. Gossman, was read a second time and referred to the committee on county and township business.

House Bill No. 211, introduced by Mr. Thompson, was read a second time and referred to the committee on judiciary.

House Bill No. 212, introduced by Mr. Albert, was read a second time and referred to the committee on organization of courts.

House Bill No. 213, introduced by Mr. Cooley, was read a second time and referred to the committee on roads.

House Bill No. 214, introduced by Mr. Copeland, was read a second time and ordered to be engrossed.

House Bill No. 215, introduced by Mr. Swayzee, was read a second time and referred to the committee on judiciary.

House Bill No. 216, introduced by Mr. Swayzee, was read a second time and referred to the committee on ways and means.

House Bill No. 217, introduced by Mr. Baxter, was read a second time and referred to the committee on judiciary.

House Bill No. 218, introduced by Mr. Baxter, was read a second time and referred to the committee on judiciary.

House Bill No. 219, introduced by Mr. Garver, was read a second time and referred to the committee on ways and means.

House Bill No. 220, introduced by Mr. Garver, was read a second time and referred to the committee on judiciary.

House Bill No. 221, introduced by Mr. Warrum, was read a second time and referred to the committee on rights and privileges.

House Bill No. 222, introduced by Mr. Hubbard, was read a second time and referred to the committee on organization of courts.

House Bill No. 223, introduced by Mr. Hubbard, was read a second time and referred to the committee on education.

House Bill No. 224, introduced by Mr. Hubbard, was read a second time and referred to the committee on temperance.

House Bill No. 225, introduced by Mr. Hubbard, was read a second time and referred to the committee on county and township business.

House Bill No. 226, introduced by Mr. Thompson of Howard, was read a second time and referred to the joint committee on legislative expenses with certain amendments.

House Bill No. 227, introduced by Mr. Branyan, was read a second time and referred to the committee on organization of courts.

House Bill No. 228, introduced by Mr. Lehman, was read a second time and referred to the committee on cities and towns.

House Bill No. 229, introduced by Mr. Garver, was read a second time and referred to the committee on judiciary.

House Bill No. 230, introduced by Mr. Viehe, was read a second time and referred to the committee on ways and means.

House Bill No. 231, introduced by Mr. Henderson, was read a second time and referred to the committee on statistics and emigration.

House Bill No. 232, introduced by Mr. Henderson, was read a second time and referred to the committee on judiciary.

House Bill No. 233, introduced by Mr. Henderson, was read a second time and referred to the committee on printing.

House Bill No. 234, introduced by Mr. Adams, was read a second time and referred to the committee on affairs of the city of Indianapolis.

House Bill No. 235, introduced by Mr. Craft, was read a second time and referred to the committee on insurance.

House Bill No. 236, introduced by Mr. McGaughey, was read a second time and referred to the committee on elections.

House Bill No. 237, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 238, introduced by Mr. Peelle, was read a second time and referred to the committee on temperance.

House Bill No. 239, introduced by Mr. Houghton, was read a

second time and referred to the committee on organization of courts.

House Bill No. 240, introduced by Mr. Zehring, was read a second time and referred to the committee on judiciary.

House Bill No. 241, introduced by Mr. Hulet, was read a second time and ordered to be engrossed.

House Bill No. 242, introduced by Mr. Scott, was read a second time and referred to the committee on organization of courts.

House Bill No. 243, introduced by Mr. Hall, was read a second time and referred to the committee on railroads.

House Bill No. 244, introduced by Mr. Zimmerman, was read a second time and referred to the committee on county and township business.

House Bill No. 245, introduced by Mr. Freeman, was read a second time and referred to the committee on rights and privileges.

House Bill No. 246, introduced by Mr. Hatfield, was read a second time and referred to the committee on agriculture.

House Bill No. 247, introduced by Mr. Stewart, was read a second time and referred to the committee on education.

House Bill No. 248, introduced by Mr. Lane, was read a second time and referred to the committee on elections.

House Bill No. 249, introduced by Mr. Morrison, was read a second time and referred to the committee on corporations.

House Bill No. 250, introduced by Mr. Endsley, was read a second time and referred to the committee on roads.

House Bill No. 251, introduced by Mr. Ashby, was read a second time and referred to the committee on county and township business.

House Bill No. 252, introduced by Mr. Butler, was read a second time and referred to the committee on organization of courts.

House Bill No. 253, introduced by Mr. Butler (by request) was read a second time and referred to the committee on rights and privileges.

House Bill No. 254, introduced by Mr. Leeper, was read a second time and referred to the committee on organization of courts.

House Bill No. 255, introduced by Mr. Langdon, was read a second time and referred to the committee on county and township business.

House Bill No. 256, introduced by Mr. Grubbs, was read a second time and referred to the committee on insurance.

House Bill No. 257, introduced by Mr. Grubbs, was read a second time and referred to the committee on judiciary.

House Bill No. 258, introduced by Mr. Oglebay, was read a second time and referred to the committee on ways and means.

House Bill No. 259 introduced by Mr. Whitehead, was read a second time and referred to the committee on county and township business.

House Bill No. 260 introduced by Mr. Conley, was read a second time and referred to the committee on county and township business.

House Bill No. 261 introduced by Mr. Carlton, was read a second time and referred to the committee on judiciary.

House Bill No. 262 introduced by Mr. Sailors, was read a second time and referred to the committee on fees and salaries.

House Bill No. 263 introduced by Mr. Collins, was read a second time and referred to the committee on judiciary.

House Bill No. 264 introduced by Mr. Yaryan, was read a second time and ordered to be engrossed.

House Bill No. 265 introduced by Mr. Yaryan, was read a second time and referred to the committee on judiciary.

House Bill No. 266, introduced by Mr. Yaryan, was read a second time and referred to the committee on judiciary.

House Bill No. 267, introduced by Mr. Yaryan, was read a second time and referred to the committee on judiciary.

House Bill No. 268, introduced by Mr. Marsh, was read a second time and referred to the committee on judiciary.

House Bill No. 269, introduced by Mr. Marsh, was read a second time and referred to the committee on judiciary.

House Bill No. 270, introduced by Mr. Marsh, was read a second time and referred to the committee on judiciary.

House Bill No. 271, introduced by Mr. Marsh, was read a second time and referred to the committee on judiciary.

House Bill No. 272, introduced by Mr. Wells, was read a second time and referred to the committee on roads.

House Bill No. 273, introduced by Mr. Morgan, was read a second time and referred to the committee on county and township business.

By unanimous consent, Mr. Thompson of Elkhart, offered the following resolution :

WHEREAS, On pages sixteen and seventeen of the annual report for the year 1876, occurs the following statement in relation to that part of the school fund derived from the sinking fund, surplus revenue funds, fines and forfeitures, etc., heretofore distributed to the counties and held in trust by them, to-wit:

“The item of \$2,523,988.33 was made up from the sinking fund, surplus revenue funds, fines and forfeitures. This amount is held in trust by the counties and loaned out at seven and eight per cent. The Constitution of the State holds each county liable for the full amount of interest due each year. From bad management of this trust fund in many of the counties, the tax payers are compelled to reimburse the fund for losses sustained by delinquent borrowers, and in many instances the principal has suffered an absolute loss.”

Be it therefore resolved, That the Auditor of State is hereby directed to make up and furnish this House with a detailed statement showing :

1st. In what counties the losses referred to in his report have taken place.

2d. To what gross amount such losses extend.

3d. If in his power, the names of the persons in each county causing such losses, the amounts due from each and whether the proper steps have been taken to secure a recovery from the delinquent borrowers of the amounts due from them.

4th. What steps should be taken to prevent the occurrence of such losses hereafter.

5th. Where the responsibility for past losses properly belongs.
Which resolution was adopted.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills, to whom was referred House Bills Nos. 10 and 105, report that they have examined the same and find them correctly engrossed.

Mr. Langdon offered the following resolution, which was adopted :

Resolved, That a committee of three be appointed whose duty it shall be to examine all titles to acts and joint resolutions after their engrossment, and revise or amend the same if necessary, and make report thereof upon the passage of an act or joint resolution the title to which is revised.

Mr. Spencer offered the following resolution :

Resolved, That when this House adjourns it will be until Monday at 2 o'clock; P. M.

Which resolution was adopted.

Mr. McCarty offered the following resolution :

WHEREAS, It appears from a claim filed in the office of the Treasurer of State by the Superintendent of the Hospital for the Insane against the county of Daviess for clothing furnished the inmates of said hospital from said county, that said superintendent has charged therein for one of said inmates sixty-two dollars, and for another inmate the sum of forty-one dollars, when, by law, said Superintendent is only allowed to charge for each inmate the sum of forty dollars, as provided in section 3 of an act approved March 6, 1865;

AND WHEREAS, It appears from said claim that the prices charged for the articles therein enumerated are exorbitant and unreasonable, a copy of which said claim is hereunto attached and made a part thereof :

THE INDIANA HOSPITAL FOR THE INSANE,
INDIANAPOLIS, IND., April 1, 1876.

Daviess county, Ind., to the Indiana Hospital for the Insane, Dr.

To clothing and other charges on account of Mary Goodrich, Mary Dixon, Edward Gribbins, Lewis Noland, Wm. Nicholson, George Gribbins and P. Banks, inmates of this institution from the said county of Daviess as provided by "An act for the government of the Indiana Hospital for the Insane," approved March 6, 1865.

On account of Mary Goodrich—

1875.

Aug. 21, to 1 calico dress.....	\$2 50
Nov. 22, to 1 shoulder shawl.....	3 25
Dec. 31, to 1 gown	1 50

1876.

Jan. 7, to 2 gowns.....	3 00
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Feb. 18, to 1 delain dress.....	\$5 00
Feb. 21, to 2 pair hose.....	1 00
Feb. 21, to 1 pair shoes.....	2 75
Total.....	<u>\$19 00</u>

On account of Mary Dixon—

1875.

April 1, to 1 hat.....	\$2 00
April 1, to 2 pairs drawers	3 00
May 14, to 2 chemises.....	3 00
May 25, to 2 calico dresses.....	5 00
Sept. 7, to 2 pairs hose.....	1 00

1876.

Jan. 31, to 1 pair shoes.....	3 25
Total.....	<u>\$17 25</u>

On account of Edward Gribbins—

1875.

April 1, to 2 pair socks.....	\$ 75
May 24, to 1 pair shoes	3 50
June 8, to 1 coat.....	10 00
June 8, to 1 pair pants.....	8 00
June 8, to 1 vest.....	4 50
June 8, to 1 hat.....	3 00
July 12, to 2 shirts.....	4 00
Aug. 30, to 1 pair shoes.....	3 50
Sept. 20, to 2 pair socks.....	70
Nov. 22, to 2 shirts.....	4 00
Dec. 27, to 1 pair slippers.....	2 00

1876.

Jan. 3, to 1 pair boots.....	5 00
Jan. 17, to 1 pair pants.....	7 50
Jan. 17, to 2 undershirts.....	3 00
Jan. 17, to 2 pair drawers.....	3 00
Total.....	<u>\$62 45</u>

On account of Lewis Noland—

1875.

April 7, to 2 pair socks.....	\$ 70
June 21, to 2 pair socks.....	70
June 21, to 2 shirts.....	4 00

June 21, to 1 pair slippers.....	\$2 00
Aug. 23, to 1 pair pants.....	8 00
Aug. 23, to 1 vest.....	3 75
Aug. 23, to 1 coat.....	10 00
Dec. 6, to 2 pair socks.....	70

Total.....\$29 85

On account of P. Banks—

1875.

April 1, to 1 pair slippers.....	2 00
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Total\$ 2 00

On account William Nicholson—

1875.

April 1, to one pair shoes.....	\$3 00
May 10, to 1 coat.....	10 00
May 10, to 1 pair pants.....	7 00
May 10, to 1 vest.....	4 00
Nov. 15, to 2 undershirts.....	3 00
Nov. 15, to 1 pair drawers.....	1 00
Nov. 15, to 1 pair pants.....	8 00

1876.

Jan. 17, to 2 shirts.....	4 00
Jan. 17, to 2 handkerchiefs	50
Feb. 7, to 1 tooth brush.....	50

Total\$41 00

On account George Gribbins—

1875.

Jan. 1, to 1 pair shoes.....	3 00
August 9, to 1 pair pants.....	7 00
August 9, to 1 pair shoes.....	3 00
Sept. 3, to 1 hat.....	2 50
Sept. 3, to 1 coat.....	10 00

Total.....\$25 50

I, John Hancock, Storekeeper of the Indiana Hospital for the Insane, hereby certify the above accounts to be correct.

(Signed),

JOHN HANCOCK,
Hospital Storekeeper.

Approved.

O. EVERTS,
Superintendent.

I, Thomas J. Lavelle, Auditor of Daviess county, State of Indiana, do hereby certify that the above and foregoing is a true and correct copy of the original account now on file in my office.

In witness whereof, I hereunto set my hand and official seal, this 20th day of January, A. D. 1877.

T. J. LAVELLE, A. D. C.

By J. C. L.

Therefore be it resolved by the House of Representatives of the State of Indiana, That the committee on benevolent institutions be and they are hereby instructed to make diligent and close inspection and examination of all claims filed by the Superintendent of said hospital in the office of the Treasurer of State against several counties of this State for transportation and clothing, with a view of determining whether or not the law has been complied with; whether or not the prices of the articles charged for are reasonable, and if the parents or guardians, or other friends of such inmates, have furnished any clothing to such inmates or contributed any money for the purchase of the same, to determine how much, and if the proper counties have been credited for the same; and for the purpose of aiding said committee in the prosecution of their said investigation, they are hereby authorized to send for persons and papers and to administer oaths to witnesses.

Which was adopted.

Mr. Hall offered the following resolution, which was adopted:

Resolved, That the Clerk of the House be instructed to have printed and laid upon desks of members each Monday morning, a perfect calendar of all bills and joint resolutions pending in the House.

Mr. Johnson, of Dearborn, presented a petition from citizens of Dearborn county praying the prohibition of the collection of toll on a certain turnpike from persons going to church and funerals.

Which was referred to the committee on roads, without reading.

By unanimous consent, Mr. Lehman called up his resolution offered yesterday, providing that Wednesdays shall hereafter be set apart for House bills on third reading.

Which, on motion of Mr. Morgan, was laid upon the table.

Leave of absence was granted, until Monday, to Messrs. Lane, Thomas, Priest, Guthrie, Wells, Copeland, Thompson of Howard, Marsh, Kennedy of Union, Rea, Carson and Girton.

HOUSE BILLS ON THIRD READING.

Engrossed House Bill No. 29, entitled "An act fixing the fees of witnesses before a justice of the peace," and declaring an emergency, was read a third time and, on motion of Mr. Viehe, was laid upon the table for future action.

Engrossed House Bill No. 55, entitled an act to cure defective sheriff's sales, where advertisement thereof has been made as provided by an act approved March 11, 1875, entitled "An act to amend section 467 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity.'" Was read the third time, and the question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Freeman, Garver, Girton, Gossman, Grubbs, Hall, Hatfield, Houghton, Hauss, Henderson, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Zering and Mr. Speaker—70.

No member voting in the negative.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Senate Bills on second reading were taken up.

Engrossed Senate Bill No. 6 was read a second time and referred to the committee on county and township business.

Engrossed Senate Bill No. 7 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 10 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 11, was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 15, was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 16, was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 25, was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 33, was read a second time and referred to the committee on cities and towns.

Engrossed Senate Bill No. 35, was read a second time and referred to the committee on drains and dykes.

Engrossed Senate Bill No. 36 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 43 was read a second time and referred to the committee on judiciary.

Mr. Morgan moved that reports from committees be taken up, but withdrew his motion before a vote.

Mr. Leeper moved that the roll of counties be called for the introduction of bills, resolutions, etc.

A division was called for and the count showed that no quorum was present.

Mr. Lehman moved a call of the roll.

Those who answered to their names were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Comp-ton, Cook, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Freeman, Garver, Gossman, Grubbs, Hall, Hatfield, Houghton, Hauss, Henderson, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Pelle, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Welborn, Warrum, Yaryan, Zehring and Mr. Speaker—69.

Further proceedings under the call were dispensed with.

Mr. Paige moved an adjournment of the House.

Which was not agreed to.

Mr. Yaryan moved that the order of business be suspended, and the roll of counties called for the introduction of bills, etc.

Which was agreed to.

Mr. Carlton introduced House Bill No. 274. A bill concerning the powers of sheriffs, and authorizing them to serve State warrants in certain cases in any counties in this State, to call to their aid the power of the county in such counties, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Spencer introduced House Bill No. 275. A bill to amend section 8 of "An act to enable incorporated towns to lay out, open, grade and improve streets and alleys and make public improvements thereon, and to make surveys and adopt plats where the same have been lost or destroyed, and prescribing the duties of the board of trustees and providing for the mode of working and improving streets and alleys, and declaring an emergency," approved April 27, 1869.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Spencer introduced House Bill No. 276. A bill to authorize the boards of county commissioners to transfer a license to sell intoxicating liquors from the premises where granted to other premises, and providing for an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster, of Allen, introduced House Bill No. 277. A bill to provide for the protection of wild game, defining the time in which the same may not be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Allen introduced House Bill No. 378. A bill to amend an act entitled, "An act to authorize the Board of County Commissioners to appoint justices of the peace where vacancies may occur in said office," approved March 10, 1875, and adding a supplemental section.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cook introduced House Bill No. 279. A bill repealing an act entitled, "An act to amend the fifth section of an act entitled 'an act to prohibit the collection of tolls on gravel, macadamized turnpike and plank roads, in certain cases, and to provide the mode of declaring charters of such roads forfeited in certain cases, and repealing all laws inconsistent therewith,'" approved March 5, 1859, and declaring an emergency," approved February 25, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Benz introduced House Bill No. 280. A bill for an act to provide for the protection of the estates of minors; requiring guardians to execute mortgages as additional security; providing for the sale and disposition of the real estate mortgaged, and defining certain duties of County Recorder and other officers.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Johnson of Dearborn, introduced House Bill No. 281, a bill to amend section 2 of an act entitled "An act to amend section 8 and section 10 of an act entitled an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, approved March 11, 1861.

Which was read a first time and passed for a second reading on to-morrow.

Mr. Johnston of Dearborn, introduced House Bill No. 282. A bill removing the disability whereby husband and wife are prohibited from testifying for or against each other, and permitting them to testify in the courts of this State as other witnesses, and repealing all laws coming in conflict with the provisions of this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Johnston of Dearborn introduced House Bill No. 283. A bill to amend section 550 of an act entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

The committee on enrolled bills submitted the following report :

MR. SPEAKER :

The committee on enrolled bills respectfully report, that we have examined and compared Enrolled House Bills Nos. 9 and 40 with the engrossed bills, and that we found the same correctly engrossed.

The Speaker announced that he had signed Enrolled House Bills Nos. 9 and 40.

Pending the call of the roll of counties, at the county of Dearborn, on motion by Mr. Cole, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY AFTERNOON,

JANUARY, 29, 1877.

The House met at 2 o'clock with the Speaker in the chair.

Prayer was offered by Rev. N. A. Hyde, pastor of Mayflower Congregational Church.

The Journal of Saturday's proceedings was partially read, when on motion of Mr. Lehman, further reading of the Journal was dispensed with.

The special order for this day and hour, being House Bill No. 98 with the report from the committee on rights and privileges thereon, was taken up, and the question being upon concurrence in the report of the committee, the House refused to concur therein ; whereupon

Mr. Moorman moved that the bill be recommitted to said committee with the following instructions :

Amend the bill as follows : "*Provided*, That churches and school houses, where the congregation and school is on the ground floor are exempt from the provisions of this act."

Which was agreed to, and the bill recommitted.

Mr. Riley presented a claim of Wm. B. Foley, which was referred to the committee on claims without reading.

On motion by Mr. Freeman the reference of House Bill No. 161, was changed from the committee on rights and privileges to the committee on organization of courts.

The call of the roll of counties pending at the adjournment on Saturday, was resumed.

Mr. Lanham presented the claims of James N. Stevens and George Huffman.

Which was referred, without reading, to the committee on claims.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts of the House of Representatives, to-wit:

Enrolled Act No. 9, House of Representatives. An act to amend section 70 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6th, 1873, and declaring an emergency.

Also, Enrolled Act No. 40, House of Representatives. An act fixing the times of holding the Circuit Courts in the several counties of the Thirteenth Judicial Circuit.

And the same are herewith returned to the House of Representatives.

Mr. Madden introduced House Bill No. 284. A bill to entitle the trustees of two or more adjacent townships to form a new school district and build a school house therein, and fixing the manner in which such expense shall be borne, and declaring an emergency.

Which was read a second time and passed for a second reading on to-morrow.

Mr. Koontz introduced House Bill No. 285. A bill to amend sections 17, 26, 164, and supplemental section 8 of an act entitled "An act to provide for a general system of common schools, the

officers thereof, and their repective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 286. A bill relating to common schools, providing for the selection of teachers, distributing of the school fund, the manner of determining what branches shall be taught in common schools, and defining who shall be a legal voter in such school district, and repealing all laws coming in conflict therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 287. A bill requesting and authorizing the Treasurer of State to transmit certain moneys to the common school funds.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 288. A bill authorizing the Treasurer of State to close the account of the three per cent. fund, and declaring an emergency.

Which was read a first time and prssed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 289. A bill to legalize sheriffs', guardians' and administrators' sales.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 290. A bill to relieve all persons from performing labor on the public highways, other than to work out their taxes.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 291. A bill regulating the publishing of the delinquent tax list, sheriffs', guardians' and administrators' sales, and all other public notices required to be published in any county paper.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Gossman introduced House Bill No. 292. A bill to appoint a Board of State House Commissioners, to authorize the erection of a new State House, issuing bonds therefor to pay for the same, and defining the duties of such commissioners, and conferring certain powers upon the city of Indianapolis in relation thereto, making certain acts of officers connected therein unlawful, defining certain felonies and prescribing the punishment therefor, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Carlton it was ordered that 200 copies of the bill be printed.

Mr. Gossman introduced House Bill No. 293. A bill guaranteeing the inalienable right to all persons or citizens of the State of Indiana to eat, drink and wear whatsoever they choose.

Which was read.

On motion by Mr. Freeman the bill was rejected.

Mr. Hauss introduced House Bill No. 294. A bill to amend section 1 and to repeal section 3 of an act entitled "An act to amend sections 15 and 16 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties,' approved June 11, 1852, and providing for the election of the town marshal by the town trustees, and declaring an emergency," approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hauss introduced House Bill No. 295. A bill to amend section 2 of an act to provide for the protection of wild game, and defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, approved March 11, 1869, and also providing for the protection of certain birds therein named, and affixing a penalty.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Swayzee introduced House Bill No. 296. A bill to amend section 3 of an act entitled, "An act regulating the issuing and taking up of tickets and coupons of tickets by common carriers,

and defining the rights of holders thereof, and other matters relating thereto," approved March 9, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Swayzee introduced House Bill No. 297. A bill regulating overcharges for transportation of freight by the various railroad corporations doing business in the State of Indiana, providing penalty, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Swayzee introduced House Bill No. 298. A bill concerning the three per cent. fund, and the disposal thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 299. A bill to amend section 54 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 300. A bill to amend sections 1 and 2 of an act entitled "An act to provide for the redemption of personal property sold for taxes," approved March 13, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 301. A bill to amend sections 3, 4 and 9 of an act entitled "An act to regulate and license the sale of spirituous, vinous and malt, and other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the

violation thereof," approved March 17, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 302. A bill to amend section 155, 161 and 208, and to repeal section 170 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21st, 1872.

Which was read a third time and passed to a second reading on to-morrow.

Mr. Warrum introduced House Bill No. 303. "A bill defining and limiting the jurisdiction of grand juries and repealing all laws inconsistent with this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Askren introduced House Bill No. 304, entitled a bill providing for the organization of county courts and providing for the appointment and election of county judges, and defining their duties and powers in relation thereto, and abolishing the office of county commissioner, repealing all laws in conflict herewith and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hubbard introduced House Bill No. 305. A bill to provide that all State and county officers, and all superintendents, trustees and directors of State institutions, shall make their annual reports to conform with the termination of the State fiscal year, viz: October 31st, except county auditors, whose annual report shall be made on the 31st day of August in each year, and to repeal the provisions of any act in conflict herewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thompson of Howard introduced House Bill No. 306. A bill authorizing the assessment of lands for macadamized and gravel road purposes, and prescribing the manner of assessing and collecting the same.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Branyan, by request, introduced House Bill No. 307. A bill to exempt five hundred dollars worth of personal and real property from seizure and sale on execution to householders, and to suspend all sales by executions for one year, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 308. A bill to amend section 1 of an act entitled "An act to authorize township trustees of incorporated towns, and the common councils of cities, to levy a tax for school purposes," approved March 9, 1867.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 309. A bill concerning the release of sureties upon retailers' bonds, providing for the giving of new bonds, and for the revocation of retailers' license in case the same are not given.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Butler presented a petition from sundry citizens of Steuben county, Indiana, asking the passage of a certain law to suppress tippling houses.

Which was referred, without reading, to the committee on temperance.

Mr. Henderson introduced House Bill No. 310. A bill to repeal sections 1, 2 and 3 of an act entitled "An act regulating the election and duties of State Librarian," approved May 27, 1852, and to repeal section 1 of an act entitled "An act to amend an act entitled 'an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an assistant librarian and clerk,' approved March 4, 1859, and also increasing the powers and duties of the State Librarian," approved December 20, 1865, and to repeal section 2 of an act entitled "An act to amend an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an assistant librarian and clerk," approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 20, 1865, and supplemental section, fixing the term of office of the State Librarian and the time when the same shall commence, approved February 19, 1867, imposing

the duties of State Librarian upon the Superintendent of Public Instruction, providing compensation therefor, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Smith introduced House Bill No. 311. A bill to amend sections 208 and 210 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and found on page 121 of volume 1 of Davis' late edition of the Statutes of Indiana.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 212. A bill to prescribe the manner in which collections shall be made upon executions, and directing how partial collections upon the same shall be applied, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 313. A bill to encourage railroad companies to erect and maintain alarms and signals at public crossings, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 314. A bill to amend sections 1, 11 and 12 of an act entitled "An act to exempt property from sale in certain cases," approved February 17, 1852.

Which was read a first time and passed to a second reading on to-morrow.

The committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills have examined Enrolled Senate Joint Resolutions Nos. 1 and 6, and find them to be correctly enrolled.

Mr. Peelle moved that the constitutional rule be suspended, and a certain House bill read a first and second times by title, and referred to the committee on insurance.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Carlton,

Chawner, Claypool, Collins, Compton, Cook, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Freeman, Girton, Gossman, Grubbs, Hall, Hatfield, Houghton, Hauss, Henderson, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Reno, Reiley, Spencer, Swayzee, Thomas, Thomson of Miami, Welborn, Warum, Yaryan, Zehring and Mr. Speaker—63.

Mr. Stewart voting in the negative.

No quorum voting and the constitutional rule was not suspended.

Leave of absence was granted to Messrs. Carey, Carson, Coffman, Lane, Foster of Monroe, Thompson of Elkhart, Smith, Thompson of Howard.

Pending the call of the roll of counties at the county of Marion, on motion by Mr. Foster of Allen, the House adjourned.

(Approved).

JOHN OVERMYER,
Speaker of the House of Representatives.

TUESDAY MORNING,

JANUARY 30, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. J. W. Lanham, the member from the county of Jefferson.

On motion of Mr. Yaryan the reading of the Journal of yesterday's proceedings was dispensed with.

The call of the roll of counties pending on adjournment yesterday was resumed, and consideration of the motion by Mr. Peelle to suspend the constitutional rule and read House Bill No. 315, entitled "A bill to create an insurance department," a first and second time by title and refer it to the committee on insurance, being first in order, the ayes and noes were taken under the Constitution, whereupon,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige Peelle, Perigo, Priest, Reno, Riley, Smith, Spencer, Thomas, Thompson of Elkhart, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring and Mr. Speaker—78.

No member voting in the negative.

So the constitutional rule was suspended, the bill was read a first and second time by title and referred to the committee on insurance.

Mr. Peele moved that the constitutional rule be suspended and that House Bill No. 316, then introduced by him and entitled a bill to define and regulate the business of life insurance, be read a first and second time, by title and referred to the committee on insurance.

The ayes and noes were taken under the Constitution whereupon:

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Sailors, Spencer, Thompson of Elkhart, Viehe, Welborn, Whitehead, Wells, War-rum, Yaryan, Zering and Mr. Speaker—77.

Those who voted in the negative were Messrs. Little, Riley, Scott, Smith and Thomas—5.

So the constitutional rule was suspended, the bill was read a first

and second time by title and referred to the committee on insurance.

Indefinite leave of absence was granted Mr. Lane on account of sickness.

Mr. Peelle moved that the constitutional rule be suspended and a bill then introduced by him, House Bill No. 317, a bill to define and regulate the business of insurance companies other than life, be read a first and second times by title and referred to the committee on insurance.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Sailors, Scott, Smith, Spencer, Thompson of Elkhart, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring and Mr. Speaker—81.

Those who voted in the negative were Messrs. Riley and Thomas—2.

So the constitutional rule was suspended, the bill was read a first and second times by title and referred to the committee on insurance.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to transmit to the House of Representatives, for the signature of the Speaker thereof, the following Senate joint resolutions, to-wit :

Enrolled Senate Joint Resolution No. 1. For the appointment of a committee to inquire into the feasibility of reducing Legislative expenses.

Also, Enrolled Senate Joint Resolution No. 6. A joint resolution for the extension of time for applications for pensions and for dating of pensions from mustering out or discharge of applicant. And the same was herewith submitted.

Mr. Adams presented a memorial and petition from the workingmen of the city of Indianapolis.

Which was read.

Mr. Adams made the following motion :

I move that that portion of the petition of the workingmen as refers to the question of limiting school taxation for the city of Indianapolis and to the Belt Railroad be referred to the committee on the affairs of the city of Indianapolis, and that part of the same petition that refers to the "tramp act" be referred to the committee on the rights and privileges of the inhabitants of the State, and that portion which refers to the mining interest be referred to the special committee that was appointed to consider the Mining Bill No. 66.

Which motion was agreed to and the memorial so referred.

Mr. Peelle introduced House Bill No. 318. A bill to legalize the proceedings of boards of county commissioners and boards of trustees of incorporated towns, relative to the annexation of territory to such towns, and the levy and collection of taxes and proceedings relative thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. McGaughey introduced House Bill No. 319. A bill to amend section 43 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 320. A bill legalizing the entries made and entered in the tract book of land entries of Marion county.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 321. A bill to punish the indiscriminate use of second-hand barrels for the purpose of

packing family supplies in for sale or use, and defining the punishment therefor and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 322. A bill to authorize and provide for the erection of a new State House and for matters pertaining thereto.

Which was read a first time and passed to a second reading on to-morrow.

On motion of Mr. Adams it was ordered that 150 copies thereof be printed.

Mr. Zehring introduced House Bill No. 323. A bill to amend an act to provide for the opening, vacating and changing of highways, approved June 17, 1852, repealing all laws inconsistent herewith and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hulet introduced House Bill No. 324. A bill to amend section 9 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hulet introduced House Bill No. 325. A bill repealing an act entitled "An act requiring county auditors to publish a statement of all the allowances made by the county commissioners," approved March 9, 1875, and declaring an emergency.

Which was read a first time and passed for a second reading on to-morrow.

Mr. Foster, of Monroe, introduced House Bill No. 326. A bill for the relief of Henry Rott and John W. Harryman, sureties upon the bond of Martin L. Snodgrass, deceased, former Trustee of Bloomington township, Monroe county, Indiana, and to authorize the proper officers to levy a sufficient tax to make up the deficit arising upon said trustee's defalcations, and for other matters connected therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Grubbs introduced House Bill No. 327. A bill to amend an act entitled "An act regulating the granting of divorces, nullification of marriages and decrees, and orders of courts incident thereto, and repealing all laws conflicting with this act," and declaring an emergency, approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall introduced House Bill No. 328. A bill legalizing the election of officers of the town of Kentland.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall introduced House Bill No. 329. A bill providing that where there is no sufficient prison in any county, prisoners may be confined in the jail of another county.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall, by request, introduced House Bill No. 330. A bill concerning documentary evidence.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Reno introduced House Bill No. 331. A bill regulating the duties of township trustees.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hatfield introduced House Bill No. 332. A bill to amend section 11 of an act entitled "An act fixing the fees, salaries, duties and compensation of officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Welborn introduced House Bill No 333. A bill to authorize cities to issue bonds for the purpose of funding their indebtedness, reducing the rate of interest on pre-existing obligations, compromising with any creditor or creditors, or taking up and cancelling bonds, notes or other securities already due, or which shall hereafter become due, and making it the duty of the common councils of said cities to levy taxes for the payment of the interest and to provide sinking funds for the liquidation of the principal of said bonds.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Welborn introduced House Bill No. 334. A bill to enlarge the legal capacity of married women when husbands are insane, and enable them to contract in relation to their separate property and sell and dispose of the same, and execute conveyance thereof, as if they were unmarried.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Welborn introduced House Bill No. 335. A bill to make demands against railroads a lien, etc.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Crumpacker introduced House Bill No. 336. A bill to amend section 26 of an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1852, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Moorman introduced House Bill No. 337. A bill to amend the sections 3, 6, 7 and 14 of an act entitled "An act for the incorporation and continuance of building loan fund and saving's associations, and repealing laws on that subject, approved March 5, 1857 and March 7, 1873, and legalizing all such associations now in existence," approved March 11, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Elwell introduced House Bill No. 338. A bill requiring attorneys at law to pay over money or other property by them collected and providing a penalty for failing or refusing to do so.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Rush, introduced House Bill No. 339. A bill requiring surviving partners to give bond and security in the settlement of the estates of deceased partners and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Girton introduced House Bill No. 340. A bill repealing parts of an act entitled "An act repealing an act entitled an act to amend sections 3 and 14 of an act entitled an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within the prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free," approved March 6, 1865, approved March, 9, 1867, and all the act entitled "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject," approved March 11, 1867, approved March 14, 1869, and declaring an emergency, which act so entitled repealed an act entitled "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same and repealing the law on that subject, approved March 11, 1867," approved May 14, 1869, and to revive the said act approved May 14, 1869, so repealed, and providing that plank, macadamized, turnpike and gravel road companies hereafter organized, shall not have the benefits of the said acts so revived, and declaring an emergency.

Which was read a first time.

Whereupon Mr. Girton moved that the constitutional rule be suspended, the bill read a second time by title, and referred to the committee on roads.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were Messrs. Benz, Branyan, Bumgarner, Carlton, Carr, Chawner, Coffman, Cole, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, Oglebay, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan and Zehring—70.

Those who voted in the negative were Messrs. Adams, Ames, Ashby, Austin, Baxter, Chawner, Claypool, Lanham, Paige and Mr. Speaker—10.

So the constitutional rule was suspended, the bill read a second time by title and referred to the committee on roads.

Mr. Bumgarner introduced House Bill No. 341. A bill to encourage the construction of free gravel roads.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Ashby introduced House Bill No. 342, (with petition.) A bill to amend section 43 of an act entitled "An act defining felonies and prescribing punishment therefor," approved January 10, 1852, chapt. 7, p. 423, vol. 2 Davis' Revised Statutes, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Butler introduced House Bill No. 343. A bill entitled "An act declaring agreements to pay attorneys' fees contained in any bill of exchange, acceptance draft, promissory note or other written evidence of indebtedness, illegal and void, and repealing all laws or parts of laws in conflict with this act."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Chawner, from the committee on engrossed bills, submitted the following report:

MR. SPEAKER:

The committee on engrossed bills instruct me to report that they have examined House Bills Nos. 35, 25, 70, 53, 61, 113 and 34, and find them correctly engrossed.

Mr. Leeper introduced House Bill No. 344. A bill to amend section 1 of an act entitled "An act providing for the protection of fish, repealing all laws in conflict with the same, and prescribing penalties for violation thereof," approved February 22, 1871.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Langdon introduced House Bill No. 345. A bill to fix the times of holding the terms of the Circuit Court in the Twenty-third Judicial Circuit, composed of the county of Tippecanoe.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Langdon introduced House Bill No. 346. A bill to fix the

time of holding the terms of the Superior Court of Tippecanoe county.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills to whom was referred House Bills Nos. —, —, — and —, have examined the same and find them correctly engrossed.

Mr. Lanham, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills report that they have carefully compared Engrossed House Bill No. 52 with the original copy and find the same correctly engrossed.

Mr. Oglebay introduced House Bill No. 347. A bill to repeal section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for violation thereof," approved February 22, 1871.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 348. A bill to repeal an act entitled "An act to encourage the destruction of wolves and foxes, repealing all laws or parts of laws inconsistent therewith, and declaring an emergency."

Which was read a first time and passed to a second reading on to-morrow.

The committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills respectfully report that they have presented to the Governor Enrolled House Bills Nos. 9 and 40 on January 29, 1877.

The Speaker announced the appointment of the following select committee on examination and revision of titles of bills, viz.: Messrs. Viehe, Grubbs and Johnson of Carroll.

The Speaker announced that he had signed Enrolled Senate Joint Resolutions Nos. 1 and 6.

Mr. Adams, by request of Mr. Sailors, moved that Mr. Sailors be excused from further service as a member of the committee on prisons, account of bad health.

Which was agreed to.

Leave of absence to Mr. Askren until Tuesday morning was granted.

The Speaker announced the appointment of Mr. Carr to fill the vacancy in the committee on prisons.

Mr. Hatfield introduced the following joint resolution :

Joint Resolution No. 15. A joint resolution directing and authorizing the Auditor of State and the Treasurer of State to examine into the present state of accounts of the State of Indiana with the estate of John P. Dunn, late of Perry county, deceased, and to make, if possible, an adjustment and settlement of the same with the heirs at law of said John P. Dunn, or their legal representatives and report their action as to whether there is any balance due to the State of Indiana from said John P. Dunn's estate or any balance or overplus after paying said debt now due from the State of Indiana to said heirs, the complete action of the State and true condition of these accounts in all respects.

Which was read and referred to the committee on rights and privileges.

Mr. Thomas offered the following concurrent resolution :

WHEREAS, There is so generally extravagant expenditure and speculation in the erection of capitol edifices, and we believe it arises largely from imperfect or careless legislation ;

AND WHEREAS, We are pledged to integrity and economy in the discharge of our legislative duties, and we are determined to the best of our ability to faithfully fulfill our pledges ; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we will vote for no measure providing for the erection of a new State House that does not fix the maximum cost thereof, including all related expense in completing, fencing and grading street ; and carefully and sufficiently guard against dishonesty and extravagance, and that the joint committee on public buildings is hereby instructed, in preparing or reporting a State House bill, to embody such provisions therein to accurately define the duties and compensation of each official person connected with it, provided such obligations fix such liabilities and require such indemnities as will secure a correct completion of the work.

Which was read and referred to the committee on public buildings.

Mr. Foster of Monroe, presented the memorial of sundry citizens of Bloomington township, Monroe county, Indiana, asking the release of certain sureties.

Which was referred without reading to the committee on county and township business.

Mr. Adams presented a petition of sundry citizens of Indianapolis asking the passage of a certain law limiting the powers of the City Council thereof.

Which was read and referred to the committee on the affairs of city of Indianapolis.

Mr. McGaughey presented the claims of sundry persons the House of Refuge of this State.

Which was referred without reading to the committee on claims.

Mr. Adams presented the claim of Browning & Sloan, for merchandise furnished the Southern Penitentiary.

Which was referred without reading to the committee on claims.

Mr. Leeper offered the following resolution which was adopted:

Resolved, That the committee on education be and are hereby instructed to inquire into the expediency of amending the act of March 8, 1873, touching the office of county superintendents of schools, so as to conform with the provisions of the act of March 9, 1875, on the same subject (which latter act was decided invalid by reason of error in title) and to report the result of such inquiry to the House, at an early day, by bill or otherwise.

Mr. Carlton moved that the special order set for to-morrow at 10 o'clock, A. M. and being the consideration of House Bill No. 22 and Joint Resolution No. 4, and the substitutes therefor, reported by the committee on elections, be fixed for Friday at 2 o'clock, P. M.

Which was agreed to.

Pending the call of the roll of counties at the county of Tippecanoe, on motion by Mr. Thompson of Elkhart, the House adjourned.

AFTERNOON SESSION,

TUESDAY, January 30, 1877.

The House met, with the Speaker in the chair.

The Speaker laid before the House the following message from His Excellency, Governor Williams:

The Honorable, the Speaker of the House of Representatives:

I respectfully transmit the accompanying communication from His Excellency, the Governor. A duplicate has been laid before the Senate.

SAMUEL R. DOWNEY,

Private Secretary.

Gentlemen of the Senate and House of Representatives:

I felt it to be my duty in my inaugural address to you, to allude to the apportionment bill passed four years ago, to apportion Senators and Representatives for the next six years. I now feel it to be my duty to present it more in detail.

The vote of the State on the 10th day of October last was 434,009. That would require 8,680 votes for one Senator, 4,340 votes for one Representative, and 6,510 for a Senator and Representative. Upon examination I find the counties of Rush, Decatur, Fayette and Union, with a voting population of 14,322, have a Joint Senator in Fayette, Union and Rush, a Joint Senator between Decatur and Rush, and one between Decatur, Jennings and Scott, and for Representatives Rush one, Fayette and Union one, Decatur one, Ripley, Decatur and Rush one, making two and one-half Senators and three and two-thirds Representatives, while the counties of Adams, Allen and Wells, with 18,173, have only two Senators and three Representatives. With 4,000 more voters than Decatur, Rush, Fayette and Union they have less representation. The county of Jefferson with 5,907, has a Senator and one Representative; that is more than it is entitled to. Jennings has a Joint Senator and one Representative, all it is entitled to with 3,759 voters, yet the counties of Jennings, Scott and Jefferson have a Joint Representative. The Representative should more properly belong to Scott and Clark. Clark has 5,681 and only a Joint Senator and one Representative. Montgomery has one Senator and one Representative with 6,585

voters, all that it is entitled to. Parke and Vermillion with 7,268 voters have a Senator and each a Representative, and Parke and Montgomery have a Joint Representative, making two Senators and four Representatives with 13,853 voters, while the counties of Cass and Carroll with 10,969 have only one Senator and two Representatives.

The county of Tipton with 3,302 voters, is attached to Hamilton for Senator and also Representative, yet there are 678 voters more than in Vermillion or Warren, and they each have a Representative. Fulton, with 3,302 voters, is attached to Kosciusko for a Representative. This county has more than Lake, and yet Lake has one alone. Jay, with 3,890 is attached to Delaware for a Representative, while Lagrange with 3,354 is given a Representative alone. Bartholomew and Brown have 7,236 and only one Senator and one Representative, while the counties of Lawrence and Monroe with 6,963 have a Senator and each a Representative.

I could go on making comparisons of a similar character, but this is enough to satisfy any candid man that those wrongs ought to be righted. But many will say this is not the year to apportion. Section five of article four says: "The number of Senators and Representatives shall, at the session following each period of making such enumeration, be fixed by law and apportioned among the several counties according to the number of white male inhabitants above twenty-one years of age in each." While it makes it obligatory every six years, it does not say that it shall not be done oftener.

Suppose the county of Warren had been left out of the bill entirely, would it not be proper to amend the act at this time so the twenty-six hundred and twenty-three voters might have a voice in the halls of the Legislature? Then, with the same propriety, you should amend the act so as to prevent the disfranchisement of four thousand voters in Allen, Adams and Wells, and two thousand in the counties of Cass and Carroll. Trusting you may consider this matter calmly and act in accordance with the dictates of your own consciences. I would not recommend any change in the Senate, and only five or six in the House, where the greatest injustice has been done.

(Signed.)

JAMES D. WILLIAMS,

Governor.

EXECUTIVE DEPARTMENT, January 30, 1877.

Mr. Craft moved to refer the message to the committee on elections.

Mr. Garver moved the previous question.

The ayes and noes were demanded by Messrs. Carlton and Lehman.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Bumgarner, Cary, Carr, Carson, Chawner, Claypool, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Garver, Grubbs, Hall, Harris, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thomson of Howard and Miami, Whitehead, Wells, Yaryan and Mr. Speaker—44.

Those who voted in the negative were Messrs. Albert, Ashby, Benz, Branyan, Carlton, Coffman, Collins, Compton, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Houghton, Henderson, Hosmer, Hauss, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Mathews, Merriman, McCarty, Oglebay, Perigo, Priest, Reno, Viehe, Welborn, Warrum and Zehring—37.

So the motion for the previous question was seconded by the House, the main question ordered and the message referred to the committee on elections.

The call of the roll of counties pending at adjournment was resumed.

BILLS INTRODUCED.

Mr. Kennedy of Union, introduced House Bill No. 349. A bill to amend section 1 of an act approved March 13, 1875, relating to an act supplementary and amendatory to an act to provide for a uniform assessment of property and for the collection and return of taxes thereon, approved December 21, 1872, approved March 8, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Dannettell introduced House Bill No. 350. A bill to establish a Superior Court in the county of Vanderburgh, defining its jurisdiction, providing for the election and compensation of the judges thereof, to abolish the Criminal Courts of said county and

transferring its business to the Circuit Court thereof and declaring an emergency.

Which was read a first time.

Mr. Dannettell moved that that the constitutional rule be suspended, the bill read a second time by title and referred to the committee on the organization of courts.

The ayes and noes being taken under the constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Carlton, Carr, Coffman, Compton, Copeland, Craft, Crum-packer, Dannettell, Davis, Endsley, Foster of Monroe, Fromm, Grubbs, Hall, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Kennedy of Rush, Langdon, Leeper, Lehman Lockhart, Madden, Moorman, Morgan, McGaughey, Oglebay, Peelle, Perigo, Priest, Reno, Riley, Scott, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Yaryan and Zehring and Mr. Speaker—48.

Those who voted in the negative were Messrs. Ames, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Chawner, Claypool, Collins, Cook, Cooley, Elwell, Foster of Allen, Gossman, Harper, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Koontz, Lanham, Little, Mathews, Merriman, McCarty, Smith, Thomas, Thompson of Elkhart and Veihe—29.

So the constitutional rule was not suspended, and the bill was passed to a second reading on to-morrow.

Mr. Dannettell introduced House Bill No. 351. A bill to facilitate the collection of debts process, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Dannettell introduced House Bill No. 352. A bill to amend an act entitled "An act authorizing the appointment of shorthand reporters for certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing the duties and compensation of such reporters, and declaring an emergency."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 353. A bill to amend section 3 of an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to

apportion the same among the several counties of the State, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Marsh introduced House Bill No. 354. A bill touching property adrift, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Little introduced House Bill No. 355. A bill to amend section 1 of an act entitled "An act to prevent the spread of Canada thistles, to prescribe penalties for suffering the same to mature upon cultivated farms and public highways, and to prescribe penalties for selling seeds or grain containing Canada thistle seed."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo introduced House Bill No. 356. A bill to amend section 57 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, repealing all laws in conflict herewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo introduced House Bill No. 357. A bill for the better protection of wild birds, prescribing penalties, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo, introduced House Bill No. 358. A bill to amend sections 2, 11 and 12 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 359. A bill to amend an act entitled an act to authorize plank, macadamized and gravel road companies to consolidate their stock with other similar companies and assume a common name and defining the power of such consolidated company, approved February 23, 1859.

Which was¹ read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 360. A bill to amend section 188 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 361. A bill to specify the time in which executions shall be returned.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 362. A bill to amend section 79 of an act entitled "An act providing for the election and qualification of justice of the peace, and defining their jurisdiction, powers and duties in civil cases."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan, by request, introduced House Bill No. 363. A bill to amend section 31 of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852, so as to extend the right of appeal to all decisions made by the Board of County Commissioners, except when prohibited by law, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carr introduced House Bill No. 364. A bill to amend section 15 of "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carr introduced House Bill No. 365. A bill to amend section 17 of an act entitled "An act defining felonies and prescribing penalties therefor," approved June 10, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carr introduced House Bill No. 366. A bill to amend section 250 of "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

By request Mr. Carr introduced House Bill No. 367. A bill to repeal sections 9, 11 and 12 of an act entitled "An act supplemental to an act entitled 'an act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana,' approved February 21, 1855, and repealing an act entitled an act to amend sections 4 and 7 of an act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana, approved June 3, 1861, and prescribing additional duties of clerks of Circuit Courts, and prosecuting and district attorneys," approved March 10, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Morgan introduced House Bill No. 368. A bill providing that county commissioners shall furnish the proper means to test cattle and large platform scales, providing for the testing of the same, by whom and when, providing compensation, to prevent the using of condemned scales—forfeiture therefor, providing for retesting and how often, how all fees may be collected and to what capacity of scales to apply, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Johnson of Carroll introduced House Bill No. 369. A bill to repeal section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws in conflict with the same,

prescribing penalties for the violation thereof," approved February 22, 1871.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Viehe introduced House Bill No. 370. A bill for an act to amend section 1 of act approved February 2, 1855, entitled "An act to amend an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 371. A bill to repeal section 14, and to amend section 114 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 372. A bill to amend section 208 of an act entitled, "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

RESOLUTIONS, PETITIONS, ETC.

Mr. Scott offered the following concurrent resolution :

WHEREAS, The question arising from and pertaining to the construction of the new cell-house at the Northern Prison, properly belongs to and comes under the supervision and duties of the committee on public buildings ; therefore,

Resolved by the House of Representatives, the Senate concurring, That the joint committee on public buildings be and are hereby instructed to proceed to the Northern penitentiary at their earliest convenience and make an examination into the matter of the erection of the new cell-house, and the amount already expended, as well as the sum necessary to complete the same, together with such other matters as properly pertain to the building of said cell-house.

Which was read and adopted.

Mr. Marsh presented the petition of the Board of Commissioners of Clark county, Indiana, asking the State to pay certain expenses.

Which was referred, without reading, to the committee on claims.

Mr. Yaryan offered the following concurrent resolution :

Resolved by the House, the Senate concurring, That the author of a bill or joint resolution be entitled to a seat with the committee to which his bill or resolution may have been referred, while the same may be under consideration. To this end the Secretary of the Senate or Clerk of the House, as the case may be, shall endorse the name of the author on the engrossed bill or resolution before the same be transmitted to the other branch of this General Assembly, and that the chairman notify the author of the time and place the same will be heard and considered.

Which under the rule was laid over until to-morrow.

Mr. Yaryan offered the following concurrent resolution :

WHEREAS, Retrenchment in public expenditures is imperatively demanded by the exigencies of the times ;

AND WHEREAS, It is difficult to ascertain where retrenchments ought to be made and expenses can be cut down ;

AND WHEREAS, The several committees of the Legislature have the means to approximate to the necessary expenses for the payment of the respective departments put under their immediate supervision ; therefore,

Resolved by the House the Senate concurring, That the several committees be and they are hereby requested to report to the chairman of the committee of ways and means, the minimum sum which, in their opinion will be necessary to a judicious and honest administration of such department for the next two years, suggesting at the same time the retrenchment, if any, that can and should be made.

Which was adopted.

The Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Carlton, from the committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills have this day presented to the Governor for his signature Enrolled Senate Joint Resolutions Nos. 1 and 6.

Mr. Johnson of Carroll, offered the following resolution :

WHEREAS, There has been so great public anxiety made manifest over the present Presidential situation ;

AND WHEREAS, The popular voice is for an amicable settlement of this momentous question ; therefore,

Be it resolved by the House of Representatives, That we are in favor with the bill adopted by Congress, which provides for the counting of the electoral vote, and are willing to peaceably abide the decisions of the great commission appointed to determine who shall be the next President and Vice-President of our nation.

Which, under the rule, was referred to the committee on federal relations.

Mr. Albert presented the petition of George W. Dietz, asking an appropriation.

Which was read and referred to the committee on claims.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution, to-wit :

Concurrent resolution in relation to the appointment of joint railroad commissioners from this and adjoining States :

Be it resolved by the Senate of the State of Indiana, the House of Representatives concurring therein, That His Excellency, the Governor, be and he is hereby respectfully requested to confer with the Governors of the neighboring States with reference to the appointment of two commissioners of this State, to meet with like commissioners of each of said States, to devise and agree upon a uniform law for the regulation of railroads passing in or through more

than one of such States, to be reported to the next meetings of the respective legislatures of such States for adoption. And the Governor of this State is hereby authorized to appoint such commissioners to receive the same pay and mileage for the time actually employed as that received by the members of the General Assembly of this State.

And the same is herewith submitted to the House of Representatives for its action thereon.

REPORTS FROM COMMITTEES.

The Speaker announced reports from committees to be in order.

Mr. Lanham from the committee on elections submitted the following report :

MR. SPEAKER :

Your committee on elections, to which was referred House Bill No. 131, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended.

1st. By inserting after the word "days," in the 8th line of the first section, the words "of eight hours each."

And they further recommend that the same, when so amended, do pass.

On motion by Mr. Leeper the bill and report were laid upon the table.

Mr. Lanham from the committee on elections submitted the following report :

MR. SPEAKER :

Your committee on elections to which was referred House Bill No. 165, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Hulet from the committee on elections submitted the following report :

MR. SPEAKER :

Your committee on elections have had House Resolution No. 24 under consideration, and beg leave to make the following recommendations in regard to the same, to-wit: That it be referred to

the House, and that the same be acted upon on next Wednesday at the time of the special order for the consideration of amendments.

Which report was concurred in.

Mr. Harper, from the committee on elections, submitted the following report :

MR. SPEAKER :

The committee on elections, to whom was referred House Bill No. 82, introduced by Mr. Warrum, have carefully examined the same and directed me to report it back, with the recommendation that the same be laid upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 127, entitled "An act to prevent carrying of concealed or dangerous weapons," have had the same under consideration, and have directed me to report the same back to the House, with the following recommendation, that the same be amended :

1. By striking out after the word Indiana, in the second line of section 1, the words "that an act entitled 'an act to prevent carrying concealed or dangerous weapons, and to prevent punishment therefor,' approved February 24, 1859," and inserting in lieu thereof, the words "that the above entitled act."

2. By further amending section 1 by inserting the words "or peace officer" after the word "traveler." in the 8th line of said first section.

3. By further amending said first section by inserting the words "any person whosoever" after the word "or," in the 13th line of said first section.

4. By further amending said first section by striking out the words "for the first offense."

5. By further amending said first section by striking out all of said first section after the words "five hundred dollars."

And your committee further recommend that said bill be amended by striking out the second section.

That said bill, when so amended, do pass.

Which report was concurred in, and the bill as amended ordered be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 124, entitled "An act to amend section 17 of an act entitled 'an act regulating prosecutions in case of bastardy, and providing for the support of illegitimate children,'" have had the same under consideration, and have directed me to report the bill back to the House with the recommendation that it do lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Garver from the committee on judiciary submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 149, entitled "An act to amend section 4 of an act entitled 'an act providing for voluntary assignment of personal and real property in trust for the benefit of creditors,'" have had the same under consideration, and have directed to report the same back to the House with the recommendation that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 97, entitled "An act to legalize certain acts of the Board of Commissioners of Morgan county, in the State of Indiana, providing for the restoration and preservation of the burned records of the clerk's and auditor's offices of said county, and providing that such restored records shall have the same force and effect as the original records," have had the same under consideration, and have directed me to report it back to the House with the following amendments: Amend the title by striking out the word "burned," and inserting "mutilated or defaced," and when so amended to recommend that it do pass.

Which report was concurred in.

Mr. Grubbs moved that the order of business be suspended, the

bill be considered engrossed and read a third time, and put upon its passage.

Which was agreed to, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring and Mr. Speaker.—82.

No member voting in the negative.

So the bill passed, and it was ordered that the title thereof be amended as recommended in the report of the judiciary committee, and the Principal Clerk of the House was directed to inform the Senate of the passage of the bill.

Mr. Carr asked to be excused from serving on the committee on prisons.

Which was granted by the House, and the Speaker thereupon appointed Mr. Elwell to fill the vacancy.

Mr. Langdon from the committee on judiciary submitted the following report:

MR. SPEAKER:

Your committee on judiciary to which was referred House Bill No. 38, a bill to amend sections 132 and 374 of the act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of practice and pleading, without distinction between law and equity," approved June 18, 1852, have given such bill thorough consideration, and have directed me to report it back to the House with the following recommendation:

1st. That the bill be amended by striking out of section 1 all between the word "found," in line 24, page 1, and the words "and if the property claimed," and inserting in place thereof the following, to-wit: "and if the defendant or some person in his behalf within twenty-four hours thereafter shall execute a written undertaking, payable to the plaintiff with sufficient surety, to be approved by the Sheriff, to the effect that the defendant shall safely keep the property, that the same shall not be in any way injured or damaged, and that he will deliver the same to the plaintiff if judgment should be rendered to that effect, and also that he will pay to the plaintiff all such sums of money as he may recover in the action, then the Sheriff shall deliver the property to the defendant. But if such undertaking is not given within the time aforesaid, then the Sheriff shall deliver the property to the plaintiff on receiving from him or some person in his behalf, within twenty-four hours thereafter, a written undertaking payable to the defendant, with sufficient surety to be approved by the Sheriff, to the effect that the plaintiff will prosecute his action with effect and without delay, and that he will return the property the property to the defendant if return be adjudged by the court, and that he will pay to the defendant all such sums of money as may be recovered against him in the action for any cause whatever; and in default of the undertaking being given, the property shall be returned to the defendant, but the action shall not be dismissed or delayed thereby."

2. That the second section of such bill be amended by striking out the words "in his answer" and the words "and the cause is tried."

3. And it is further recommended that the same be amended by adding the following section:

SEC. 3. That all judgments received upon the bonds specified in the second section of the act shall be without relief from valuation or appraisement laws.

And when so amended your committee direct me to recommend the passage of the bill.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Langdon, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to which was referred House Bill

No. 130, entitled "An act to restrain usurious interest on money," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Leave of absence was granted the committee on education until next Monday morning.

Pending the call of committees for reports, at the committee on judiciary, on motion by Mr. Girton, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

JANUARY 31, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. Dr. Day of the First Baptist Church.

On motion by Mr. Adams, the reading of the Journal was dispensed with.

Reports from committees pending at adjournment yesterday was taken up; whereupon,

Mr. Baxter, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on the judiciary to whom was referred House Bill No. 121, entitled "An act to amend section 529 of article 24, chapter 1, part 2, volume 2 of the Revised Statutes," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Fromm was granted leave of absence till this afternoon.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 158, entitled "An act providing for the rendition of judgments on appeal bond," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Johnson of Dearborn, from committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred Claim No. 5, being the claim of Jno. W. Berry, formerly commissioner of the reserved township of land in Monroe county for money paid to the State, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be rejected.

Which report was concurred in and the claim rejected.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to which was referred claim No. —, being a petition of Melissa Cooper, asking the General Assembly of the State of Indiana to allow her \$566.66 in consideration of title to certain lands purchased of the State having failed, have had the same under consideration and have directed me to report it back to the House with the recommendation that it be rejected.

Which report was concurred in and the claim rejected.

Mr. Thompson of Elkhart, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee on fees and salaries, to whom was referred House Bill No. 103, entitled "An act to provide for taxing as costs the expenses of procuring transcripts and exemplifications of records, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges to whom was referred House Bill No. 42, entitled "A bill to provide for the protection of wild game and defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act," etc., and have directed me to report the same back to the House with the following amendments, to-wit:

After striking out sections 1. and 2, strike out, in line 4, page 3 the words "quails and pheasants," and when so amended recommend that the bill do pass.

Which report was concurred in and the bill as amended ordered to be engrossed.

Mr. Koontz, from the committee on roads, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred the petition of citizens of Jefferson county in relation to turnpike roads, report the same back to the House with the recommendation that it lie upon the table, as the objects prayed for are already provided for in a bill introduced by Mr. Lanham.

Which report was concurred in and the petition laid upon the table.

Mr. Koontz from the committee on roads submitted the following report:

MR. SPEAKER:

Your committee on roads, to which was referred House Bill No. 138, entitled "A bill requiring boards of directors of gravel road companies, turnpikes, macadamized and plankroad companies to prepare and file with county auditors certain annual statements, requiring county auditors to preserve such statements for examination," etc., have had the same under consideration, and have directed me to report the same back to the House with the following recommendations: That the same be amended,

1. By striking out the word "each" in the 30th line of the first

section, and insert in lieu thereof the words "a majority of the members of the board of directors."

2. That the first section be further amended by striking out the words "and filed with the auditor of each county in which any part of the road of such company may be located," occurring after the words "secretary thereof," in line 32 of said first section, and inserting in lieu thereof the words "which shall be recorded in the miscellaneous records in the recorder's office in each county in which such roads may be located, for which the recorder may receive a fee of one dollar, to be paid by the company."

3. That said first section be further amended by striking out the word "filed," in line 39 of said first section, and inserting in lieu thereof the word "recorded."

And they further recommend that the second section be amended by striking out the words "of any of the officers," and inserting in lieu thereof the words "if any board of directors." And your committee further recommend that the said bill be further amended by striking out the third section entire. And your committee further recommend that said bill, when so amended, do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Foster of Allen, from the select committee on House Bill No. 48, submitted the following report :

MR. SPEAKER :

Your select committee to whom was referred House Bill No. 48, entitled "An act to regulate the sale of mineral oils and other substances for illuminating purposes, and providing for a penalty for a violation of the provisions thereof," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 100, entitled "An act amending section 53 of an act entitled 'an act to provide for a uniform assessment of property,'" have had the same under consideration, and have directed me to report the

same back to the House with the recommendation that it do lie upon the table.

The question being upon concurring in the report.

The ayes and noes were demanded by Messrs. Hulet and Morgan.

Those who voted in the affirmative were, Messrs. Adams, Baxter, Branyan, Carey, Carlton. Coffman, Collins, Compton, Craft, Crumpacker, Grubbs, Guthrie, Henderson, Lehman, McGaughey, Peelle, Smith, Yaryan and Mr. Speaker—19.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Austin, Benz, Butler, Carr, Carson, Claypool, Cole, Cook, Copeland, Dannettell, Endsley, Foster of Allen, Garver, Girton, Gossman, Hall, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Little, Lockhart, Madden, Merri- man, Morgan, McCarty, Paige, Perigo, Priest, Rea, Reno, Riley, Sailors, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum and Zimmerman—57.

So the report was not concurred in and on motion by Mr. Carlton, the bill, with an amendment proposed by Mr. Viehe and one proposed by Mr. Hulet, was referred to the committee on ways and means.

The House proceeded to the consideration of business on the Speaker's table.

The Speaker laid before the House the following communication from His Excellency Governor Williams:

The Honorable, the Speaker of the House:

I respectfully transmit for the consideration of the House a copy of a communication from the Secretary of the American Social Science Association, relative to the International Prison Congress, to be held at Stockholm in August next.

JAMES D. WILLIAMS,

Governor.

EXECUTIVE DEPARTMENT, Jan'y 30th, 1877.

AMERICAN SOCIAL SCIENCE ASSOCIATION,

5 PEMBERTON SQUARE,

BOSTON, Oct. 2d, 1876.

HON. THOMAS A. HENDRICKS,

Governor of Indiana:

SIR:—At the general meeting of this Association, lately convened

at Saratoga, certain resolutions were passed which will be found annexed to this letter, and to which the executive committee of this Association desire to call your attention and that of the Legislature of Indiana.

The International Prison Congress at Stockholm next year will bring together persons officially delegated from the countries of the whole civilized world, to consider the questions relating to crime and punishment, which are now of such pressing importance to our country where crime is rapidly increasing. It is the earnest hope of the American Social Science Association, that your State will send as delegates to that Congress, persons so well acquainted with the facts concerning crime and punishment in main that they may be able to contribute their quota of information to the statistics collected by the Congress, and may also derive something of value from its deliberations, which the people of your State may find useful in checking crime, and improving the discipline of prisons and reformatories.

Should it come within the period of your administration, and the scope of your official duty to appoint or recommend such a delegation, we hope that you will do so. Should it belong more properly to your successor, may we ask you to bring this letter and the whole subject to his early consideration.

Your obedient servant,

F. B. SANBORN.

Secretary American Social Scientific Association.

Resolved, That the American Social Science Association, recognizing the great utility of the International Prison Congress at London in 1872, receives with satisfaction the announcement of our associate, the Rev. Dr. E. C. Wines, chairman of the International Prison Commission, of a second International Prison Congress to be convened at Stockholm, by invitation of the Swedish Government, in August, 1877.

Resolved, That the executive committee of this Association have authority to send delegates to this Congress and that it be requested to urge upon each of the State governments of the United States, the importance of sending delegates acquainted with its own prison system, to take part in the deliberations at Stockholm.

Which was read and referred to the committee on reformatory institutions.

The Senate Concurrent Resolution with reference to the appointment

of Inter-State Railroad Commissioners was taken up, and on motion by Mr. Adams was referred to the committee on railroads.

SENATE BILLS ON SECOND READING.

Engrossed Senate Bill No. 19, was read a second time and referred to the committee on education.

Engrossed Senate Bill No. 36, was read a second time and referred to the committee on judiciary.

Engrossed House Bill No. 35 introduced by Mr. Smith. A bill to amend sections 10 and 70 of an act entitled "An act providing for the election and qualification of justice of the peace and defining the jurisdiction, powers and duties in civil cases and declaring an emergency."

Was read a third time.

By the unanimous consent of the House Mr. Peele offered the following amendment, which was agreed to :

MR. SPEAKER:

I move to amend section 2 of House Bill No. 35, by inserting after the word "Circuit Court," where the same occurs in said section, the words "or Superior Court."

Pending the calling of the roll on the passage of the bill, Mr. Grubbs made the following motion, which was unanimously agreed to :

I move to recommit House Bill No. 35, to the committee on judiciary with instructions to so amend the same, as to make an amendment of and apply to the law of 1861 instead of 1852.

Engrossed House Bill No. 39, introduced by Mr. Grubbs, entitled a bill to provide for the restoration and preservation of the records of the various counties of the State, and the records of all courts of record, and to authorize boards of county commissioners to provide for the restoration and preservation of the records of their respective counties, and declaring an emergency.

Which was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Cook, Copeland,

Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hossmann, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zering, Zimmerman and Mr. Speaker—79.

No member voting in the negative.

So the bill passed and the principal clerk was directed to inform the Senate thereof.

On Mr. Viehe's motion it was ordered that the title of the bill be amended as follows :

Amend the title by striking out all after the words "courts of record."

Engrossed House Bill No. 1, introduced by Mr. Carlton. A bill to amend sections 7 and 8 of an act concerning real property, approved May 6, 1852, providing for the construction of conveyances and devises to husband and wife.

Was read a third time and the question being shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Claypool, Cole, Collins, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Garver, Girton, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Smith, Spencer Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—70.

Those who voted in the negative were Messrs. Morgan, McCarty and Reno—3.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Engrossed House Bill No. 4, introduced by Mr. Hulet, entitled "A bill amending section 27 of an act entitled 'an act regulating

descents and the apportionment of estates,'” approved May 14, 1852, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard,* Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—79.

Mr. Yaryan voted in the negative.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Engrossed House Bill No. 23, introduced by Mr. Copeland. A bill entitled an act to amend section 27 of an act entitled “An act fixing the fees, salaries duties and compensation of the officers and persons named therein and prohibiting the violation of its provisions and repealing certain laws,” approved March 12, 1875.

Was read a third time and the question being shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Freeman, Garver, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring and Zimmerman—74./

Those voted in the negative were Messrs. Ashby, Girton, Gossman, Paige, Rea and Mr. Speaker—6.

So the bill passed and Mr. Viehe moved the following amendment to its title:

Amend by striking out the word "and" between the words "therein" and "prohibiting."

Which was agreed to by the House.

The Principal Clerk of the House was directed to inform the Senate of the passage of the bill.

Engrossed House Bill No. 13, introduced by Mr. Branyan, entitled "A bill to amend sections 19 and 20 of an act entitled 'an act defining felonies, and prescribing punishment therefor,'" approved June 10, 1852, and declaring an emergency.

Was read a third time.

Pending the call of the roll, by unanimous consent, Mr. Branyan made the following motion :

I move that the bill be amended by striking therefrom the emergency clause.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Claypool, Cole, Collins, Compton, Copeland, Crumpacker, Dannettell, Foster of Allen, Freeman, Garver, Girton, Grubbs, Hall, Hatfield, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Morgan, Peelle, Rea, Riley, Sailors, Smith, Spencer, Thomas, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring and Zimmerman—54.

Those who voted in the negative were Messrs. Albert, Ashby, Carson, Coffman, Cook, Craft, Endsley, Gossman, Guthrie, Hauss, Hubbard, Lane, Lanham, McCarty, McGaughey, Paige, Perigo, Priest, Reno, Stewart, Swayzee, Thompson of Elkhart, Viehe, Welborn and Mr. Speaker—25.

So the bill passed.

Mr. Viehe offered the following amendment to its title :

Amend the title by striking out the words "and declaring an emergency."

Which was agreed to, and it was ordered that the Principal Clerk of the House inform the Senate of the passage of the bill.

By unanimous consent the order of business was suspended, and

Mr. Morgan from the committee on rights and privileges submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges to which was referred House Resolution No. 3, have had the same under consideration and have directed me to report the same back to the House, with the recommendation that said resolution be made the special order for Saturday, the 3d day of February, 1877, at 10 o'clock A. M.

Which report was concurred in, and the resolution made the special order for the time mentioned.

Engrossed House Bill No. 88, introduced by Mr. Carr. A bill to amend section 2 of an act concerning enclosures, trespassing animals and partition fences, approved June 4, 1852, and declaring an emergency.

Which was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames, Baxter, Benz, Branyan, Butler, Cary, Carr, Carson, Claypool, Coffman, Cole, Collins, Cook, Copeland, Dannettell, Endsley, Foster of Allen, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McGaughey, Peelle, Perigo, Priest, Rea, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Zimmerman and Mr. Speaker—64.

Those who voted in the negative were Messrs. Adams, Austin, Carlton, Craft, Crumpacker, Freeman, Hatfield, Johnson of Dearborn, McCarty, Paige, Reno, Riley, Yaryan and Zehring—14.

So the bill passed.

Mr. Viehe moved the following amendment to the title:

Amend title by striking out the words "and declaring an emergency."

Which was agreed to, and the Principal Clerk of the House was directed to inform the Senate of the passage thereof.

Engrossed House Bill No. 18, introduced by Mr. Branyan. A bill to amend section 397 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil

cases in the courts in this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852, and declaring an emergency, was read a third time.

Pending the call of the roll, Mr. Branyan, by unanimous consent, offered the following amendment :

I move that the bill be amended by striking therefrom the emergency clause.

Which was agreed to by the House.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Baxter, Benz, Branyan, Butler, Cary, Carr, Carson, Claypool, Cole, Copeland, Dannettell, Endsley, Foster of Allen, Gossman, Hall, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kemmell, Koontz, Lane, Leeper, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker.—54.

Those who voted in the negative were Messrs. Carlton, Coffman, Collins, Compton, Cook, Craft, Crumpacker, Freeman, Garver, Girton, Grubbs, Guthrie, Hatfield, Hauss, Henderson, Harper, Hosmer, Hubbard, Lanham, Lehman, Paige, Spencer, Viehe, Welborn, and Yaryan—25.

So the bill passed.

Mr. Branyan offered the following amendment to its title :

MR. SPEAKER :

I move that the title of the bill be amended by striking therefrom the words "and declaring an emergency."

Which was agreed to and the Principal Clerk of the House was directed to inform the Senate of the passage of the bill.

Engrossed House Bill No. 41, introduced by Mr. Hall. A bill to declare the effect of the repeal of statutes.

Was read a third time and the question being shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Butler, Cary, Carlton, Carr, Carson, Cole, Compton, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Freeman, Garver, Girton, Gossman,

Grubbs, Guthrie, Hatfield, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Stewart, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Warrum, Zering, Zimmerman and Mr. Speaker—68.

Those who voted in the negative were Messrs. Branyan, Claypool, Coffman, Collins, Cook, Lehman, Paige, Spencer, Swayzee, Wells and Yaryan—11.

So the bill passed.

The Principal Clerk of the House was directed to inform the Senate thereof.

By unanimous consent, Mr. Hall introduced the following resolution, which was adopted :

WHEREAS, A message was transmitted to the House of Representatives at the last session submitting a claim for the reimbursement of Benton county for certain extraordinary expenses incurred in the prosecution and conviction of James L. McCullough of murder;

AND WHEREAS, The said message was not published in the House Journal, and the same cannot now be found in the State Library ;

AND WHEREAS, Said claim was not finally acted upon at the last session, but has again been presented to this House and is now pending before the committee on claims ;

AND WHEREAS, Certain important documents concerning said claim which can not otherwise be substituted, were transmitted with said message ; be it therefore,

Resolved, That His Excellency, the Governor, be requested to transmit to this House at his earliest convenience, a copy of said message and accompanying documents, if the same can be done.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed engrossed Senate joint resolutions, to-wit

Senate Joint Resolution No. 1. Joint resolution for the appointment of a committee to inquire into the feasibility of reducing legislative expenses.

Also, Senate Joint Resolution No. 6. Joint resolution for the extension of time for applications for pensions and for dating of pensions from mustering out or discharge of applicant.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed the following Senate Bills, to-wit :

Engrossed Senate Bill No. 71. An act to give the consent of the State of Indiana to the acquirement by the United States, by purchase or condemnation, of lands within this State, required for the improvement of the Ohio and Wabash rivers, and to cede jurisdiction over the same.

Also, Engrossed Senate Bill No. 142. An act declaring school lands taxable after they have been sold and before deed is made, and legalizing all assessments, levy and collection of taxes heretofore made, and prohibiting the refunding of taxes paid, declaring an emergency, and other matters connected with the subject of taxation of school lands.

And the same are herewith respectfully submitted to the House of Representatives for its action thereon.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed Engrossed House Bill No. 116, "A bill for granting continuances in certain cases," with the following amendments, to-wit: Amend by inserting after the word "assembly," in section 2, the words "or the Lieutenant Governor;" also, amend by striking out the word "bill" in the title, and insert instead thereof the word "act." And the same is respectfully submitted to the House for its concurrence therein.

Mr. Carlton moved that the order of business be suspended and the Senate amendments to House Bill No. 115 be taken up and considered.

Which was agreed to, and the amendments of the Senate were concurred in.

Pending Engrossed House Bills on third reading, on ~~motion~~ by Mr. Girton, the House adjourned.

AFTERNOON SESSION.

WEDNESDAY, January 31, 1877.

The House met with the Speaker in the chair.

By unanimous consent the order of business was suspended and Mr. Little, from the committee on county and township business submitted the following report :

MR. SPEAKER :

Your committee on county and township business to which was referred Engrossed Senate Bill No. 6, entitled "An act to legalize the official acts of the board of county commissioners of Grant county, Indiana, done at a special session of said board, held on the 14th and 15th days of April, 1874, in relation to the hearing of petitions praying said board to order elections to be held in the townships of Mill and Fairmount, in said county, and also to legalize the subsequent proceedings and orders made in pursuance of said elections, at their regular June sessions for the years 1874 and 1875," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in.

By unanimous consent the order of business was further suspended and the bill mentioned in foregoing report was read the third time.

The question being shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carr, Claypool, Coffman, Cole, Compton, Cook, Copeland, Craft, Crum-packer, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merri-man, Moorman, Morgan, McCarty, McGaughey Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring and Mr. Speaker.—76.

No member voting in the negative.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Consideration of Engrossed House Bills on third reading pending at adjournment was resumed.

Engrossed House Bill No. 44, introduced by Mr. Moorman. A bill for the suppression of the trade in and circulation of obscure literature, illustrations, advertisements and articles of obscene and immoral use, and articles for procuring abortion, repealing all laws in conflict herewith and declaring an emergency.

Was read a third time.

Mr. Adams moved that the bill be laid upon the table.

Which was agreed to.

Engrossed House Bill No. 49, introduced by Mr. Leeper. A bill in relation to the assessment and taxation of congressional school land, to legalize certain assessments heretofore made, and prohibit the refunding of taxes paid.

Was laid upon the table without reading.

Engrossed House Bill No. 10, introduced by Mr. Hauss. A bill fixing the times of holding Circuit Courts in the Eleventh Judicial Circuit, to repeal all laws in conflict herewith, and declaring an emergency.

Was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Ames, Askren, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Ensley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—82.

No member voting in the negative.

So the bill passed.

Mr. Viehe offered the following amendment to the title:

I move to amend the title by inserting after the word "bill" the words "for an act;" also, by striking out all after the words "judicial circuit."

Which was agreed to by the House.

The Principal Clerk of the House was directed to inform the Senate of the passage of the bill.

Leave of absence was granted Mr. Spencer until to-morrow.

Engrossed House Bill No. 105, introduced by Mr. Reno. A bill to provide for the removal of rails and plank-fencing from overflowed lands.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettel, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnston of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Reno, Rea, Riley, Sailors, Smith, Stewart, Thomas, Thompson of Elkhart, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Swayzee and Viehe—2.

So the bill passed.

The Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Branyan made the following motion with reference to House Bill No. 2:

MR. SPEAKER:

I move that House Bill No. 2 be referred back to the committee on dykes and drains, with instructions to so amend the same in provisions of the same that relate to the collection of the assessments made on lands for the construction of dykes, drains and levees, so as to have it conform to the Senate bill now in their hands, amending the same act and harmonizing the bills in all their parts.

Which was agreed to by the House, and the bill with instructions recommitted.

Mr. Adams moved that House Bill No. 44 be taken from the table and put upon its passage.

Which was agreed to, whereupon

Mr. Moorman moved that the bill be recommitted to the committee on rights and privileges, with the following instructions:

Amend section 3 by inserting after the words "any person," the following: "particularly describing the premises sought to be searched, and the property sought to be searched for."

Which was agreed to.

By unanimous consent, Mr. Hall from the committee on railroads submitted the following report:

MR. SPEAKER:

Your committee on railroads have had under consideration House Bill No. 182, and beg leave to report the same back to the House with the recommendation that it be referred to the committee on judiciary.

Which report was concurred in and the bill referred to the committee on judiciary.

By unanimous consent Mr. Viehe, from the committee on judiciary, submitted the following majority report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 146, entitled "A bill to repeal section 2 of an act entitled 'an act defining certain misdemeanors,' " have had the same under consideration, a majority of whom have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Mr. Carlton, from the same committee, submitted the following minority report:

MR. SPEAKER:

The undersigned, of the judiciary committee, to whom was referred House Bill No. 146, to repeal section 2 of an act defining certain misdemeanors and prescribing punishment therefor, approved Dec. 2, 1865, respectfully make the following minority report: That, in the opinion of the undersigned, said bill should pass.

The question being upon the adoption of the minority report, Messrs. Lehman and Craft demanded the ayes and noes.

Those who voted in affirmative were Messrs. Adams, Albert, Benz, Branyan, Cary, Carlton, Carson, Cole, Collins, Compton, Cook, Craft, Endsley, Girton, Gossman, Guthrie, Hall, Hatfield, Hauss, Henderson, Johnson of Dearborn, Koontz, Leeper, Lehman, Madden, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Sailors, Stewart, Thompson of Elkhart, Warrum and Yarran—37.

Those who voted in the negative were Messrs. Ashby, Austin, Baxter, Butler, Carr, Coffman, Copeland, Crumpacker, Dannettell, Foster of Allen, Freeman, Fromm, Garver, Grubbs, Highway, Harper, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Lanham, Little, Lockhart, Merriman, Morgan, McCarty, Riley, Smith, Swayzee, Thomas, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—42.

So the minority report was not adopted.

The question recurring on the majority report, it was concurred in, and the bill indefinitely postponed.

Leave of absence was granted to Mr. Crumpacker until Saturday*

Engrossed House Bill No. 92, introduced by Mr. Adams. A bill to amend section 3 of "An act prescribing the powers and duties of justices of the peace in State prosecutions," approved May 29, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koonts, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—75.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 75, introduced by Mr. Thompson of Elkhart. A bill limiting the term of office of township trustees.

Was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Baxter, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Copeland; Craft, Dannettell, Endsley, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Hauss, Henderson, Harper, Hosmer, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Lanham, Leeper, Lehman, Little, Madden, Moorman, Morgan, McGaughey, Peelle, Priest, Rea, Reno, Riley, Stewart, Swayzee, Thompson of Elkhart, Viehe, Welborn, Whitehead, Wells, Yaryan and Zimmerman.—55.

Those who voted in the negative were Messrs. Albert, Austin, Benz, Branyan, Cook, Foster of Allen, Fromm, Gossman, Hatfield, Hubbard, Hulet, Johnson of Dearborn, Koontz, Lockhart, Merri-man, McCarty, Paige, Perigo, Sailors, Smith, Thomas, Thomson of Miami, Warrum, Zehring and Mr. Speaker.—25.

So the bill passed.

Mr. Viehe moved the following amendment to the title:

House Bill No. 75. I move to amend the title to read as follows: "An act limiting the eligibility to the office of township trustee."

Which was agreed to by the House, and the Principal Clerk of the House was directed to inform the Senate of the passage of the bill.

Engrossed House Bill No. 45, introduced by Mr. Moorman. A bill to amend an act approved March 10, 1873, amendatory to sections 15 and 16 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1872.

Which was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Albert, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carr, Carson, Claypool, Cole, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Hatfield, Hauss, Harper, Hosmer, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane,

Leeper,^{as} Little, Lockhart, Moorman, Morgan, McGaughey, Peelle, Priest, Rea, Reno, Riley, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr Speaker.—61.

Those who voted in the negative were Messrs. Carlton, Coffman, Collins, Gossman, Grubbs, Guthrie, Hall, Henderson, Lanham, Lehman, Madden, Merriman, McCarty, Paige, Perigo and Stewart—16.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Engrossed House Bill No. 51, introduced by Mr. Leeper, "A bill to enable cities and incorporated towns to use the surplus special school funds belonging to such corporation for the payment of indebtedness created in the erection and completion of school buildings, and in the purchase of any ground and building for school purposes," was read a third time.

Pending the call of the roll, Mr. Leeper offered the following amendment:

I move to strike out all of the first section, after the enacting clause, and insert the following:

That the board of school trustees of any city or incorporated town in this State are authorized and empowered to pay over to the common council or board of trustees of any such city or town any surplus special school revenue in the hands of such school trustees, not necessary to meet current expenses, such excess of the revenue aforesaid to be applied for the payment of the interest or principal, or both, of any indebtedness incurred under the provisions of the act of March 8, 1874, authorizing cities and incorporated towns to negotiate and sell bonds to procure means to erect and complete unfinished school buildings, and to purchase any ground and building for school purposes, and to pay debts contracted for the erection and completion and purchase of building and ground.

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Collins, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy

of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Rea, Reno, Sailors, Smith, Stewart, Swayzee, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zimmerman and Mr. Speaker—71.

Those who voted in the negative were Messrs. Claypool, Coffman, Fromm, Riley, Thomas and Zehring—6.

So the bill passed.

Mr. Leeper moved to amend the title so as to read as follows, to-wit: An act authorizing the school trustees of a city or incorporated town to pay over to such city or town surplus special school revenue for the payment of indebtedness created for school building purposes, and legalizing acts where such surplus has been so appropriated.

Which was agreed to, and the Principal Clerk of the House was directed to inform the Senate of the passage of the bill.

Engrossed House Bill No. 37, introduced by Mr. Craft, a bill to amend section 8 of an act entitled "An act to repeal all general laws for the incorporation of cities, prescribing their powers and duties and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867, was read a third time.

Mr. Viehe moved the following amendment to House Bill No. 37:

I move that the bill be amended by striking the word "duties" and inserting the word "rights."

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Peige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thomas,

Thompson of Elkhart, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—75.

No member voting in the negative.

So the bill passed.

Mr. Viehe moved the following amendments to the title of the bill :

1. After the word "laws" insert "now in force."
2. After the word "cities" insert "and to provide for the incorporation of cities."
3. Strike out the word "duties" and insert in lieu thereof the word "rights."

Which was unanimously agreed to.

The Principal Clerk was directed to inform the Senate of the passage of the bill.

The committee on engrossed bills submitted the following report :

MR. SPEAKER:

Your committee on engrossed bills have examined Engrossed House Bills Nos. 97 and 127, and report the same correctly engrossed.

Pending Engrossed House Bills on third reading, on motion by Mr. Swayzee, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

FEBRUARY, 1, 1877.

The House met with the Speaker in the chair.

On motion by Mr. Lehman, the reading of the Journal of yesterday's proceedings was dispensed with.

HOUSE BILLS ON THIRD READING.

Engrossed House Bill No. 52, introduced by Mr. Morrison. A bill defining the time and the persons by whom quails may be

netted or trapped, fixing the penalty for the violation of this act, and repealing all laws in conflict herewith.

Which was read a third time.

Mr. Ashby moved the previous question, which was seconded by the House, and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Benz, Carr, Carson, Claypool, Coffman, Copeland Endsley, Freeman, Fromm, Hall, Henderson, Highway, Harper, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Lane, Leeper, Little, Lockhart, Moorman, Morgan, Perigo, Priest, Reno, Riley, Smith, Swayzee, Thomas, Whitehead, Wells and Warrum.—34.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Austin, Baxter, Benz, Butler, Cary, Carlton, Collins, Compton, Cook, Craft, Dannettell, Foster of Allen, Garver, Gossman, Grubbs, Guthrie, Hatfield, Hauss, Hosmer, Hubbard, Hulet, Kimmell, Koontz, Lanham, Lehman, Madden, Merriman, McCarty, McGaughey, Paige, Peelle, Rea, Sailors, Spencer, Stewart, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Yaryan, Zehring, Zimmerman and Mr. Speaker.—46.

So the bill failed to pass.

Mr. Lanham, from the committee on engrossed bills, submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills have compared Engrossed House Bill No. 138 with the original copy, and find the same correctly engrossed.

The special order set for this day and hour being the consideration of House Bill No. 59, entitled "A bill to authorize county commissioners to contract for the legal defense of indigent persons by annual contract with a responsible attorney," declaring an emergency and repealing all laws in conflict therewith, and the reports from the majority and minority of the judiciary committee thereon, was taken up.

The question being upon concurring in the report of the minority, the House refused to concur therein.

The question recurring upon a concurrence in the report of the majority, it was concurred in and the bill laid upon the table.

Engrossed House Bill No. 50, introduced by Mr. Leeper. A bill

authorizing cities and incorporated towns to change and reform their boundaries so as to exclude therefrom suburban lots or tracts of land not laid out in lots.

Was read a third time.

Mr. Adams moved to recommit the bill to the committee with the following instructions :

Change that part which reads "two-thirds vote" so as to read "three-fourths vote of council or board of trustees."

Annex at the end of the last section the following: "*Provided*, The city or town shall not have caused any improvement to be made on the streets or alleys adjacent to the ground proposed to be vacated at the city's expense.

Mr. Branyan moved the previous question, which was seconded by the House, and the main question ordered.

The motion to recommit was lost, there not being a two-thirds vote in the affirmative.

The question then being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Baxter, Benz, Branyan, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Madden, Merriman, Moorman, Morgan, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman, and Mr. Speaker—72.

Those who voted in the negative were Messrs. Adams, Albert, Austin, Butler, Garver, Henderson, Lockhart and McCarty—8.

So the bill passed.

Mr. Viehe moved to amend the title of House Bill No. 50 as follows :

MR. SPEAKER :

I move that the title be amended to read as follows: "An act to authorize cities and towns to exclude from their limits certain lots and lands."

Which was agreed to, and the Principal Clerk was directed to inform the Senate of the passage of the bill.

Engrossed House Bill No. 25, introduced by Mr. Marsh. A bill to amend sections 3 and 6 of an act entitled "An act for the incorporation and continuance of building, loan and saving associations, and repealing the laws upon that subject, approved March 5, 1857, and March 7, 1873, and legalizing all such associations now in existence, approved March 11, 1875.

Which was read a third time, whereupon,

On motion by Mr. Carlton, further consideration of the bill was postponed until next Tuesday at 2 o'clock P. M.

Engrossed House Bill No. 70, introduced by Mr. Lockhart. A bill to legalize the elections held in the year 1875 in the town of Eaton, Delaware county, Indiana, and to legalize the official acts of the Board of Trustees of said town for said year, and to legalize the acts of all other officers of said corporation for said year under "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, and to legalize all by-laws, rules, regulations and proceedings of said board of trustees and said other officers, adopted in pursuance thereof.

Which was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Austin, Baxter, Benz, Butler, Cary, Carlton, Carr, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige Peelle, Perigo, Priest, Reno, Riley, Sailors, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Warrum, Yaryan, Zehring and Mr. Speaker—69.

Those who voted in the negative were Messrs. Ames, Branyan, Freeman, Hulet, Kimmell, Rea, Swayzee, Wells and Zimmerman—9.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Engrossed House Bill No. 61, introduced by Mr. Collins. A bill to amend an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such court, and for the compensation of such Reporter," approved March 13, 1875, was read a third time.

Mr. Collins moved that further consideration of the bill be postponed until next Tuesday at 2 o'clock, P. M., and made the special order for that hour.

Which was agreed to.

Leave of absence was granted Mr. Sailors until Monday.

Engrossed House Bill No. 34, introduced by Mr. Cole. A bill authorizing boards of county commissioners to construct gravel, macadamized or paved roads, upon petition of a majority of resident land owners along and adjacent to the line of any road; authorizing them to issue bonds of the county to raise money required for that purpose, and provide for the payment of such bonds by taxing lands adjacent to the road, repealing all laws inconsistent herewith, and declaring an emergency.

Which was read a third time, and pending consideration whereof the House adjourned.

AFTERNOON SESSION,

THURSDAY, February 1, 1877.

The House met, with the Speaker in the chair.

By unanimous consent the order of business was suspended, and Mr. Warrum introduced House Bill No. 373, entitled "A bill to prevent the spread of hog cholera, providing that hogs that die of said disease shall be buried or cremated; that such hogs nor any product made therefrom shall be sold; providing penalties and declaring an emergency."

Which was read a first time and passed to a second reading on to-morrow.

Also, House Bill No. 374, entitled "A bill declaring assessments upon lands for plank, macadamized and gravel road purposes, in certain cases, to be valid and binding, and providing for the collection and application of the same, pursuant to the provisions of the

statute under and by virtue of which the same were made," and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Also, House Bill No. 375, entitled "A bill defining certain misdemeanors, and prescribing penalties therefor."

Which was read a first time and passed to a second reading on to-morrow.

The special order for this day and hour being House Bill No. 117, to amend section 10 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, and the majority and minority reports thereon from the committee on organization of courts, was taken up.

The question being upon adopting the minority report, it was not adopted, and the majority report was taken up, concurred in and the bill laid upon the table.

Consideration of House Bill No. 34 pending at adjournment, was resumed.

Mr. Adams moved to recommit the bill with the following instructions:

I move to amend section 4 by striking out the words "two miles" in line 7 and inserting in lieu thereof the words "one mile and one-half."

Mr. Kennedy of Rush moved the adoption of the following additional instructions:

I move to refer the bill back to the committee on roads with instructions to amend the same so that a majority of acres of land to be affected by the tax as well as a majority in number of the owners, shall be required for the construction of the road.

2d. So that personal property as well as real estate shall be taxed for the construction of such road.

Mr. Lane moved to lay the motion to recommit with instructions upon the table.

Which was agreed to.

Mr. Foster of Allen moved the previous question, which was seconded, and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Benz, Branyan, Cary, Carr, Coffman, Cole, Collins, Craft, Endsley, Foster of Allen, Freeman, Fromm, Girton, Gossman, Hall,

Hauss, Henderson, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Leeper, Lehman, Lockhart, Moorman, McCarty, Sailors, Spencer, Thomson of Miami Viehe, Wells, Yaryan and Zehring—37.

Those who voted in the negative were Messrs. Albert, Ashby, Baxter, Butler, Carlton, Carson, Claypool, Compton, Cook, Copeland, Dannettell, Garver, Grubbs, Guthrie, Hatfield, Highway, Harper, Hosmer, Hubbard, Hulet, Lane, Lanham, Little, Madden, Merriman, Morgan, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Whitehead, Zimmerman and Mr. Speaker.—42.

So the bill failed to pass.

Leave of absence was granted Mr. Warrum until Monday at 2 o'clock P. M.

By unanimous consent Mr. Sailors, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 192, entitled "An act to provide for the management and control of public highways, to provide for free gravel and macadamized roads and the management and control thereof, and repeal all laws in conflict with this act," have had the same under consideration, and direct me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Carlton, from the committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills respectfully report, that they have examined Enrolled House Bill No. 116, and compared the same with the engrossed bill and find that the same is correctly enrolled.

The speaker announced that he had signed Enrolled House Bill No. 116.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House

of Representatives that he has signed Enrolled House Act No. 116, and the same is herewith returned to the House.

T. B. BUCHANAN,
Principal Secretary.

Engrossed House Bill No. 138, introduced by Mr. Lanham. A bill requiring boards of directors of gravel road companies, turnpike, macadamized and plankroad companies to prepare and file with county auditors certain annual statements, requiring county auditors to preserve such statements for examination, defining penalties for the violation of this act, and repealing an act entitled "An act requiring the officers of certain corporations therein named to make out and publish annual statements, and providing penalties for the violation thereof," approved March 9, 1875.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Butler, Cary, Carlton, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Johnson of Dearborn, Kennedy of Union, Kennedy of Rush, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Pelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Viehe, Welborn, Whitehead, Zehring, Zimmerman and Mr. Speaker—74.

Those who voted in the negative were Messrs. Branyan, Carr and Wells—3.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe made the following motion, which was adopted :

I move to amend the title of the bill so as to read as follows : "An act requiring gravel road, turnpike, macadamized road and plank road companies to prepare, file, and have recorded in the proper recorder's office, certain annual statements prescribing penalties for the violation of its provisions," and to repeal an act therein named.

Engrossed House Bill No. 42, introduced by Mr. Kimmell. A

bill to provide for the protection of wild game, and defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith, and declaring an emergency.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Austin, Baxter, Branyan, Butler, Cary, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hatfield, Hauss, Henderson, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Moorman, Morgan, McGaughey, Peelle, Perigo, Priest, Rea, Riley, Sailors, Spencer, Swayzee, Thomas, Thompson of Elkhart, Viehe, Welborn, Whitehead, Wells, Zehring and Zimmerman—60.

Those who voted in the negative were Messrs. Ames, Benz, Carlton, Hall, Harper, Hosmer, Merriman, McCarty, Reno, Stewart and Mr. Speaker—11.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Engrossed House Bill No. 103, entitled "A bill to provide for taxing as costs the expense of procuring transcripts and exemplification of records."

Was read a third time.

The question being, shall the bill pass? .

Those who voted in the affirmative were Messrs. Adams, Albert, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Copeland, Dannettell, Foster of Allen, Garver, Girton, Grubbs, Hall, Hatfield, Hauss, Henderson, Harper, Hosmer, Hubbard, Kennedy of Rush, Kimmell, Koontz, Lane, Lanham, Leeper, Little, Lockhart, Moorman, Morgan, McCarty, McGaughey, Peelle, Priest, Thompson of Elkhart, Whitehead, Zimmerman and Mr. Speaker—44.

Those who voted in the negative were Messrs. Cole, Collins, Compton, Cook, Endsley, Freeman, Fromm, Gossman, Hulet, Johnson of Dearborn, Kennedy of Union, Lehman, Merriman, Perigo, Rea, Reno, Riley, Sailors, Spencer, Stewart, Swayzee, Thomas, Viehe, Welborn, Wells and Zehring—26.

So the bill failed for want of a constitutional majority.

House Bill No. 190, reported from the committee on judiciary substitute for House Bill No. 62, was read a second time and referred to the committee on judiciary.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution, to-wit :

WHEREAS, There is generally extravagant expenditure and speculation in the erection of public edifices, and we believe it arises largely from imperfect or careless legislation ;

AND WHEREAS, We are pledged to integrity and economy in the discharge of our legislative duties, and we are determined to the best of our ability to faithfully fulfill our pledge ; therefore be it

Resolved by the Senate, the House of Representatives, concurring, That we will vote for no measure providing for the erection of a new State House that does not fix the maximum cost thereof, including all relative expenses in completing, fencing, grading and furnishing with all necessary fixtures, and carefully and sufficiently guard against dishonesty, extravagance and exceeding appropriations, and that the joint committee on public buildings is hereby instructed, in preparing and reporting a State House bill, to see that it embodies such provisions, and that it accurately defines the duties and compensation of each person officially connected therewith, and providing such obligations, fixing such liabilities, and requiring such indemnities as will secure the faithful prosecution and completion of the work ; and the same is respectfully submitted to the House for its concurrence therein.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bills Nos. 42 and 103, and report them correctly engrossed.

Mr. Stewart, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined Engrossed House Bills Nos. 97 and 127, and report the same correctly engrossed.

House Bill No. 274, introduced by Mr. Carlton. A bill concerning the powers of sheriffs, and authorizing them to serve State warrants in certain cases, in any of the counties in the State, to call to their aid the powers of the county in such counties, and declaring an emergency.

Which was read a first time and referred to the committee on judiciary.

House Bill No. 275, introduced by Mr. Spencer, was read a second time and referred to the committee on cities and towns.

House Bill No. 276, introduced by Mr. Spencer, was read a second time and referred to the committee on county and township business.

House Bill No. 277, introduced by Mr. Foster of Allen. A bill to provide for the protection of wild game, defining the time in which the same may not be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith, and declaring an emergency.

Which was read a second time and referred to the committee on rights and privileges.

House Bill No. 278, introduced by Mr. Foster of Allen, was read a second time and referred to the committee on judiciary.

House Bill No. 279, introduced by Mr. Cook, was read a second time and referred to the committee on roads.

House Bill No. 280, introduced by Mr. Benz, was read a second time and referred to the committee on judiciary.

House Bill No. 281, introduced by Mr. Johnson of Dearborn, was read a second time and referred to the committee on organization of courts.

House Bill No. 282, introduced by Mr. Johnson of Dearborn, was read a second time and referred to the committee on judiciary.

House Bill No. 283, introduced by Mr. Johnson of Dearborn, was read a second time and referred to the committee on judiciary.

House Bill No. 284, introduced by Mr. Madden. A bill to entitle the trustees of two or more adjacent townships to form a new school district and build a school house therein, and fixing the manner in which such expense shall be borne, and declaring an emergency," was read a second time and referred to the committee on county and township business.

House Bill No. 285, introduced by Mr. Koontz, was read a second time and referred to the committee on education.

House Bill No. 286, introduced by Mr. Gossman, was read a second time and referred to the committee on education.

House Bill No. 287, introduced by Mr. Gossman, was read a second time and referred to the committee on education.

House Bill No. 288, introduced by Mr. Gossman, was read a second time and referred to the committee on trust funds.

House Bill No. 289, introduced by Mr. Gossman, was read a second time and referred to the committee on judiciary.

House Bill No. 290, introduced by Mr. Gossman, was read a second time and referred to the committee on roads.

House Bill No. 291, introduced by Mr. Gossman, was read a second time and referred to the committee on county and township business.

House Bill No. 292, introduced by Mr. Gossman, was read a second time and referred to the committee on public buildings, with an amendment by Mr. Gossman.

House Bill No. 294, introduced by Mr. Hauss, was read a second time and referred to the committee on cities and towns.

House Bill No. 295, introduced by Mr. Hauss, was read a second time and referred to the committee on rights and privileges.

House Bill No. 296, introduced by Mr. Swayzee, was read a second time and referred to the committee on railroads.

House Bill No. 297, introduced by Mr. Swayzee, was read a second time and referred to the committee on railroads.

House Bill No. 298, introduced by Mr. Swayzee, was read a second time and referred to the committee on trust funds.

House Bill No. 299, introduced by Mr. Baxter, was read a second time and referred to the committee on organization of courts.

House Bill No. 300, introduced by Mr. Baxter, was read a second time and referred to the committee on rights and privileges.

House Bill No. 301, introduced by Mr. Baxter, was read a second time and referred to the committee on temperance.

House Bill No. 302, introduced by Mr. Baxter, was read a second time and referred to the committee on ways and means.

House Bill No. 303, introduced by Mr. Warrum, was read a second time and referred to the committee on organization of courts.

House Bill No. 304, introduced by Mr. Askren, was read a second time and referred to the committee on organization of courts.

House Bill No. 305, introduced by Mr. Hubbard, was read a second time and referred to the committee on ways and means.

House Bill No. 306, introduced by Mr. Thompson of Howard, was read a second time and referred to the committee on roads.

House Bill No. 307, introduced by Mr. Branyan, was read a second time and referred to the committee on judiciary.

House Bill No. 308, introduced by Mr. Henderson, was read a second time and referred to the committee on ways and means.

House Bill No. 309, introduced by Mr. Henderson, was read a second time and referred to the committee on judiciary.

House Bill No. 310, introduced by Mr. Henderson, was read a second time and referred to select committee on State Library.

House Bill No. 311, introduced by Mr. Smith, was read a second time and was referred to the committee on ways and means.

House Bill No. 312, introduced by Mr. Craft, was read a second time and referred to the committee on judiciary.

House Bill No. 313, introduced by Mr. Craft, was read a second time and referred to the committee on railroads.

House Bill No. 314, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 318, introduced by Mr. Peelle, was read a second time and referred to the committee on cities and towns.

House Bill No. 319, introduced by Mr. McGaughey, was read a second time and referred to the committee on ways and means.

House Bill No. 320, introduced by Mr. Adams, "A bill legalizing the entries made and entered in the tract book of original land entries of Marion county," was read a second time and referred to the committee on affairs of the city of Indianapolis.

House Bill No. 321, introduced by Mr. Adams, was read a second time and referred to the committee on rights and privileges.

House Bill No. 322, introduced by Mr. Adams, was read a second time and referred to the committee on public buildings.

House Bill No. 223, introduced by Mr. Zehring, was read a second time and referred to the committee on roads.

House Bill No. 324, introduced by Mr. Hulet, was read a second time and referred to the committee on fees and salaries.

House Bill No. 325, introduced by Mr. Hulet, was read a second time and referred to the committee on county and township business.

House Bill No. 326, introduced by Mr. Foster of Monroe, was read a second time and referred to the committee on county and township business.

House Bill No. 327, introduced by Mr. Grubbs, was read a second time and referred to the committee on judiciary.

House Bill No. 328, introduced by Mr. Hall, was read a second time and, by unanimous consent, was ordered engrossed.

House Bill No. 329, introduced by Mr. Hall, was read a second time and referred to the committee on township business.

House Bill No. 330, introduced by Mr. Hall, was read a second time and referred to the committee on judiciary.

House Bill No. 331, introduced by Mr. Reno, was read a second time and referred to the committee on printing.

House Bill No. 332, introduced by Mr. Hatfield, was read a first time and referred to the committee on fees and salaries.

House Bill No. 333, introduced by Mr. Welborn, was read a second time and referred to the committee on cities and towns.

House Bill No. 334, introduced by Mr. Welborn, was read a second time and referred to the committee on judiciary.

House Bill No. 335, introduced by Mr. Welborn, was read a second time and referred to the committee on railroads.

House Bill No. 336, introduced by Mr. Crumpacker, was read a second time and referred to the committee on roads.

House Bill No. 337, introduced by Mr. Moorman, was read a second time and referred to the committee on corporations.

House Bill No. 338, introduced by Mr. Elwell, was read a second time and referred to the committee on judiciary.

House Bill No. 339, introduced by Mr. Kennedy of Rush, was

read a second time and, with an amendment by Mr. Kennedy of Rush, referred to the committee on judiciary.

House Bill No. 341, introduced by Mr. Bumgarner, was read a second time and referred to the committee on roads.

House Bill No. 342, introduced by Mr. Ashby, was read a second time and referred to the committee on judiciary.

House Bill No. 343, introduced by Mr. Butler, was read a second time and referred to the committee on rights and privileges.

House Bill No. 344, introduced by Mr. Leeper, was read a second time and referred to the committee on rights and privileges.

House Bill No. 345, introduced by Mr. Langdon, was read a second time and referred to the committee on organization of courts.

House Bill No. 346, introduced by Mr. Langdon, was read a second time and referred to the committee on organization of courts.

House Bill No. 347, introduced by Mr. Oglebay, was read a second time and referred to the committee on rights and privileges.

House Bill No. 348, introduced by Mr. Oglebay, was read a second time and referred to the committee on rights and privileges.

House Bill No. 349, introduced by Mr. Kennedy of Union, was read a second time and referred to the committee on ways and means.

House Bill No. 350, introduced by Mr. Dannettell, was read a second time and referred to the committee on judiciary.

House Bill No. 351, introduced by Mr. Dannettell, was read a second time and referred to the committee on judiciary.

House Bill No. 352, introduced by Mr. Dannettell, was read a second time and referred to the committee on judiciary.

House Bill No. 353, introduced by Mr. Carlton, was read a second time and referred to the committee on elections.

House Bill No. 354, introduced by Mr. Marsh, was read a second time and referred to the committee on judiciary.

House Bill No. 355, introduced by Mr. Little, was read a second time and referred to the committee on agriculture.

House Bill No. 356, introduced by Mr. Perigo, was read a second time referred to the committee on cities and towns.

House Bill No. 357, introduced by Mr. Perigo, was read a second time and referred to the committee on rights and privileges.

House Bill No. 358, introduced by Mr. Perigo, was read a second time and referred to the committee on fees and salaries.

House Bill No. 359, introduced by Mr. Yaryan, was read a second time and referred to the committee on roads.

House Bill No. 360, introduced by Mr. Yaryan, was read a second time and referred to the committee on judiciary.

House Bill No. 361, introduced by Mr. Yaryan, was read a second time and referred to the committee on judiciary.

House Bill No. 362, introduced by Mr. Yaryan, was read a second time and referred to the committee on organization of courts.

House Bill No. 363, introduced by Mr. Yaryan, was read a second time and referred to the committee on judiciary.

House Bill No. 364, introduced by Mr. Carr, was read a second time and referred to the committee on judiciary.

House Bill No. 365, introduced by Mr. Carr, was read a second time and referred to the committee on judiciary.

House Bill No. 366, introduced by Mr. Carr, was read a second time and referred to the committee on judiciary.

House Bill No. 367, introduced by Mr. Carr, was read a second time and referred to the committee on fees and salaries.

House Bill No. 368, introduced by Mr. Morgan, was read a second time and referred to the committee on rights and privileges.

House Bill No. 369, introduced by Mr. Johnson of Carroll, was read a second time and referred to the committee on rights and privileges.

House Bill No. 370, introduced by Mr. Viehe, was read a second time and referred to the committee on judiciary.

House Bill No. 371, introduced by Mr. Oglebay, was read a second time and referred to the committee on education.

House Bill No. 372, introduced by Mr. Henderson, was read a second time and referred to the committee on ways and means.

On motion by Mr. Lehman, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

FEBRUARY 2, 1877.

The House met, with the Speaker in the chair.

On motion by Mr. Branyan the reading of the journal was dispensed with.

The Speaker announced reports from committees to be in order, whereupon

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 32, entitled "An act defining libel, providing a penalty therefor, repealing all laws in conflict herewith and declaring an emergency," have had the same under consideration, and have directed me to report the same back to the House with the following recommendation that the same be amended :

1. Amend the title to read as follows: "An act defining libel and prescribing punishment therefor."

2. Amend the same by striking out all after the enacting clause and insert in lieu thereof the following: "That any defamatory printing, writing, sign-pictures, representation or effigy, tending to provoke any person to wrath, expose him to public hatred or ridicule, or to deprive him of the benefits of public usefulness or social intercourse, or designed to blacken and vilify the memory of a deceased person and tending to scandalize and provoke his relations or friends, shall be deemed a libel, and the selling, delivery, reading in the presence of others, or otherwise communicating a libel, directly or indirectly, to any person, or to the person libeled, shall be a publication thereof.

SEC. 2. Any person who shall make, compose, dictate, print, or write, a libel to be published, or procure the same to be done, and any person who shall publish, or knowingly aid in publishing a libel, shall be guilty of a misdemeanor and on conviction thereof, shall be fined in any sum not less than ten dollars nor more than one thousand dollars, to which may be added imprisonment in the county jail for a period not exceeding three months; but the truth of the libel shall in all cases be a sufficient justification.

Further, that the said bill when so amended do pass; that after engrossment 200 copies be printed.

Mr. Viehe moved that the bill and report be recommitted to the committee on judiciary.

Which was agreed to.

Mr. Grubbs from the committee on judiciary submitted the following report:

MR. SPEAKER:

Your committee on judiciary to which was referred House Bill No. 181, entitled "An act to confirm and legalize the corporate name and organization of the Rose Polytechnic Institute," have had the same under consideration and directed me to report it back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Messrs. Paige and Little were given leave of absence until Monday.

Mr. Grubbs from the committee on judiciary submitted the following report:

MR. SPEAKER:

Your committee on judiciary to which was referred House Bill No. 267, entitled "An act to amend the second section of an act entitled 'An act defining who shall be competent witnesses in any court or judicial proceeding in this State,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Mr. Carlton from the same committee submitted the following minority report on the same bill:

MR. SPEAKER:

The undersigned, of the minority of the judiciary committee, respectfully report that the bill should be amended so as to read, "that husband and wife may testify for or against each other where the party consents that his or her wife or husband may testify," and that the bill when so amended do pass.

The question being on the adoption of the minority report.

On motion of Mr. Yaryan, the bill, together with the reports thereon, was recommitted to the committee on rights and privileges for the consideration of the same.

Mr. Branyan from the committee on the organization of courts submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts to which was referred House Bill No. 137, entitled "An act regulating the granting of divorces," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Peelle, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred House Bill No. 191, entitled "An act to amend sections 4, 6 and 7 of an act entitled 'an act to provide for the election of a Reporter of the Supreme Court,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Mr. Compton, from the same committee, submitted the following minority report :

MR. SPEAKER :

The undersigned, a member of your committee on organization of courts, not agreeing with the majority report on House Bill No. 191, entitled "An act to amend sections 4, 6 and 7 of an act entitled 'an act to provide for the election of a Reporter of the Supreme Court,'" beg leave to submit this minority report, with the recommendation that said bill do lie on the table.

On motion of Mr. Compton, the further consideration of the bill and reports was postponed until next Tuesday at 2 o'clock P. M., and they were made the special order for that hour.

Mr. Henderson moved to suspend the order of business and take up House Bill No. 372. A bill to amend section 208 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and declaring an emergency, that the same be considered engrossed, read a third time, and put upon its passage.

Which was agreed to, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Butler, Carlton, Carson, Claypool, Coffman, Cole, Collins, Compton, Copeland, Dannettell, Endsley Foster of Allen, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Hosmer, Johnson of Dearborn, Kennedy of Rush, Kimmell, Lane, Langdon, Leeper, Madden, Merriman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Thomas, Welborn, Whitehead, Wells and Zehring—54.

Those who voted in the negative were Messrs. Branyan, Cary, Carr, Cook, Craft, Freeman, Highway, Harper, Hubbard, Hulet, Kennedy of Union, Koontz, Lanham, Lehman, Lockhart, Moorman, Smith, Swayzee, Thompson of Elkhart, Thomson of Miami, Viehe, Zimmerman and Mr. Speaker—23.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

The special order for this day and hour being the consideration of House Joint Resolution No. 10, and the majority and minority reports thereon from the committee on military affairs, the same was taken up.

The question being upon the adoption of the minority report.

Mr. Leeper moved the previous question, which was seconded by the House, and the main question ordered.

The ayes and noes were demanded by Messrs. Albert and Lehman.

Those who voted in the affirmative were Messrs. Ames, Austin, Branyan, Butler, Carr, Carson, Claypool, Copeland, Craft, Dannettell, Foster of Allen, Freeman, Fromm, Grubbs, Guthrie, Hall, Highway, Harper, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, Rea, Riley, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Welborn, Whitehead, Yaryan, Zehring and Zimmerman—48.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Baxter, Benz, Cary, Carlton, Coffman, Cole, Collins, Compton, Cook, Endsley, Garver, Girton, Gossman, Hatfield, Hauss, Henderson, Johnson of Dearborn, Leeper, McGaughey, Paige, Perigo, Priest, Reno, Stewart, Wells and Mr. Speaker—29.

So the minority report was adopted.

The majority report, together with the joint resolution, were laid upon the table.

The following message was received from His Excellency, Governor Williams :

The Honorable, the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House of Representatives that he has approved and signed House enrolled bills numbered and entitled as follows :

No. 120. An act to legalize the acts of the Common Council of the city of Greencastle, in Putnam county, in the annexation of a certain addition to said city, and legalizing the acts of said Common Council and the officers of said city over said addition, and all matters pertaining thereto ; approved January 26, 1877.

No. 9. An act to amend section 70 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and declaring an emergency ; approved January 30, 1877.

No. 40. An act fixing the times of holding the circuit courts in the several counties of the Thirteenth Judicial Circuit ; approved January 30, 1877.

And that he has caused said acts to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, February 1, 1877.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following acts, to-wit :

Enrolled House Act No. 120. An act to legalize the acts of the Common Council of the city of Greencastle, in Putnam county, in the annexation of certain addition to said city, and legalizing the

acts of said Common Council and the officers of said addition, and all matters pertaining thereto.

And the same is herewith returned to the House.

Also, Enrolled Senate Act No. 103. An act to legalize the election of Board of Trustees of the town of Gosport, Owen county, Indiana, for the years 1874, 1875 and 1876, and legalizing all their official acts, by-laws, ordinances, regulations and proceedings passed and executed by them under and in pursuance of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852.

Mr. Yaryan offered the following concurrent resolution, which was adopted :

Resolved, the Senate concurring, That Mrs. Mary A. Livermore be invited to address the General Assembly in this Hall on Saturday, February 3, 1877, at 10 o'clock A. M., on the rights of women.

Mr. Carlton, from the joint committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills respectfully report that on the 1st day of February, 1877, we presented to the Governor for his signature, House Bill No. 116.

Mr. Garver, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 173, entitled "An act to fix the time of holding courts of justices of the peace in civil cases, repealing all laws and parts of laws in conflict herewith," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same do lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Collins, from the committee on the organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 254, entitled "An act authorizing justices of the peace to require additional bail in cases where insufficient

bail has been taken," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be amended by striking out the emergency clause. And they further recommend that said bill when so amended do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Branyan, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts of justice to whom was referred House Bill No. 80, have directed me to report back said bill with the following recommendations :

That section 1 be amended by adding thereto after the word "judgment" in line 60 the words "and provide that such witness refuse to testify or refuse to subscribe and be sworn to such affidavit such justice of the peace."

Which report was agreed to in, and the bill as amended ordered to be engrossed.

Mr. Branyan, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts of justice to whom was referred House Bill No. 171, have directed me to report back said bill to this House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Yaryan, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 227, entitled "An act making it a misdemeanor to sell, convey, or conceal mortgaged chattels," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended :

1. By striking out of the title the words "and declaring an emergency."
2. That the same be further amended by striking out section 3.
3. And the further recommendation that said bill when so amended, do pass.

Mr. Branyan moved that the bill and report be recommitted to the committee on organization of courts.

Which was agreed to.

Mr. Cole, from the committee on the organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to whom was referred House Bill No. 242, an act to amend section 9 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Lanham, from the committee on elections, submitted the following report :

MR. SPEAKER :

Your committee on elections, to which was referred that part of the Governor's message relating to elections, have had the same under consideration, and have directed me to report that in order to carry out the recommendations of said message, as far as practicable, they would unanimously recommend the passage of the following bill :

A bill to prescribe certain powers and duties of county commissioners, township trustees, city councils and trustees of towns in relation to elections ; also, prescribing certain powers and duties of inspectors and judges of elections and penalties for frauds in the performance of their official duties, to prevent illegal and fraudulent voting, prescribing penalties for the violation of this act, and repealing an act entitled "An act repealing sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21 and 22 of an act entitled 'an act to provide for the registry of voters and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named and the form of the ballots, and providing compensation for the services of such officers,' approved March 12, 1867, and prescribing further duties of officers of elections, and providing for the appointment of the necessary officers and clerks for holding such elections," approved May 13, 1869.

Which was read a first time and passed to a second reading on to-morrow.

Pending the call of the committees for reports, on motion by Mr. Hulet, the House adjourned.

AFTERNOON SESSION,

FRIDAY, February 2, 1877.

The House met, with the Speaker in the chair.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed Engrossed Senate Bill No. 152. An act regulating the indebtedness of cities having a voting population of sixteen thousand, as shown by the votes cast for Governor at the last preceding election, authorizing the funding of the indebtedness of such cities in bonds in certain cases, prohibiting the creation of city debts except as therein authorized, and prescribing the kind and amount created, limiting the amount of taxes that may be levied by the common council and board of school commissioners respectively, prescribing penalties for certain violations of this act, and repealing all laws in conflict therewith, and declaring an emergency.

And the same is herewith submitted to the House for its action thereon.

I am also directed by the Senate to submit to the House of Representatives, for the signature of the Speaker thereof, Enrolled Senate Act No. 6. An act to legalize the official acts of the Board of Commissioners of Grant County Indiana, done at a special session of said Board, held on the 14th and 15th days of April, 1874, in relation to the hearing of petitioners, praying said Board, to order elections to be held in the townships of Mill and Fairmont in said county for the purpose of voting aid in favor of the construction of the Cincinnati, Wabash and Michigan railroad, under an act entitled, "An act to authorize aid to the construction of railroads, etc.," and the same is herewith submitted.

Mr. McGaughey from the joint committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills, would report that they have examined Enrolled Senate Bill No. 6, and find the same correctly enrolled.

The Speaker announced that he had signed Enrolled Senate Act No. 6.

By unanimous consent Mr. Lanham, from the committee on elections, submitted the following report :

MR. SPEAKER :

Your committee on elections to whom was referred House Bill No. 236 entitled, " An act providing for the election of school directors, prescribing their powers, duties and qualification, repealing all laws in conflict therewith, and declaring an emergency," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it be referred to the committee on county and township business.

Which report was concurred in and the bill referred to the committee on county and township business.

The special order for this day and hour being House Bill No. 22 and House Joint Resolution No. 4, with the substitutes therefor, together with the reports thereon by the committee on elections, also a resolution of instruction to inquire into the expediency of incorporating a provision requiring voters to present a tax receipt, was taken up.

The question being on concurring in the report on House Bill No. 22.

Mr. Swayzee moved the previous question, which was seconded by the House, and the main question ordered.

The report was then concurred in.

Mr. Langdon moved that the order of business be suspended, that House Bill No. 22, a bill to provide for taking the sense of the qualified voters of the State on the calling of a convention to alter, amend or revise the Constitution of the State, be considered engrossed, read a third time and put upon its passage.

Which was agreed to, and the bill read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Ames,

Baxter, Branyan, Butler, Carr, Carson, Cole, Collins, Compton, Copeland, Craft, Dannettell, Endsley, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hauss, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lockhart, Merriman, Moorman, Morgan, McGaughey, Paige, Peelle, Riley, Smith, Swayzee, Thomas, Thomson of Miami, Viehe, Whitehead, Yaryan, Zimmerman and Mr. Speaker—51.

Those who voted in the negative were Messrs. Albert, Ashby, Austin, Benz, Cary, Claypool, Coffman, Cook, Foster of Allen, Hatfield, Henderson, Hosmer, Johnson of Dearborn, Lehman, Madden, McCarty, Perigo, Priest, Reno, Rea, Spencer, Stewart, Thompson of Elkhart, Welborn, Wells and Zehring—26.

So the bill passed.

Ordered that the Principal Clerk inform the Senate thereof.

The question then being on concurring in the report of the committee on elections concerning House Joint Resolution No. 4, it was concurred in, and the joint resolution laid upon the table.

House Joint Resolution No. 16 was taken up and read, being entitled "A joint resolution to amend section 2 of article 2, of the Constitution of the State."

By unanimous consent, Mr. Lanham offered the following amendment to the same :

Amend section 2 by inserting after the word "white" the words "wherever it occurs."

Which was agreed to.

House Joint Resolution No. 16. A joint resolution to amend section 2 of article 2 of the Constitution of the State of Indiana.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendment to section 2 of article 2 of the Constitution of the State of Indiana is hereby agreed to, and in case the same shall be agreed to by a constitutional majority of each branch of the next General Assembly, then the same shall be submitted to the people of the State for their adoption or rejection.

SEC. 2. Amend section 2 of article 2 by striking out of the same the word "white" wherever it occurs.

Which was read.

The question then being, shall the joint resolution pass?

Mr. Lehman moved that it be laid upon the table.

Which was not agreed to.

Mr. Reno moved that the joint resolution be indefinitely postponed.

Mr. Albert moved the previous question, which was seconded and the main question ordered.

Mr. Kennedy of Rush moved to lay the motion to postpone upon the table.

Which was agreed to.

Mr. Viehe then moved the previous question.

Which was seconded and the main question ordered.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Hatfield, Hauss, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Paige, Perigo, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, and Mr. Speaker—66.

Those who voted in the negative were Messrs. Albert, Fromm, Gossman, Henderson, Hosmer, Hulet, Johnson of Dearborn, Rea, Reno and Spencer—10.

So the joint resolution passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

House Joint Resolution No. 17. A joint resolution to amend article 2 of the Constitution of the State of Indiana.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendment to article 2 of the Constitution of the State of Indiana, is hereby agreed to, and in case the same shall be agreed to by a constitutional majority of the next General Assembly, then the same shall be submitted to the people of the State for their adoption or rejection.

SEC. 2. Amend article 2 by striking out of the same, the whole of section five.

Was read, whereupon Mr. Viehe moved the previous question

which was seconded by the House and the main question ordered, being, shall the joint resolution pass.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Henderson, Johnson of Dearborn, Reno and Spencer—4.

So the joint resolution passed.

Ordered, that the Principal Clerk inform the Senate thereof.

House Joint Resolution No. 18. A joint resolution to amend section 4 of article 4 of the Constitution of the State of Indiana.

SECTION 1. *Be it Resolved by the General Assembly of the State of Indiana*, That the following amendment to section 4 of article 4 of the Constitution of the State of Indiana, is hereby agreed to, and in case the same shall be agreed to by a constitutional majority of each branch of the next General Assembly, then the same shall be submitted to the people of the State for their adoption or rejection.

SEC. 2. Amend section 4 of article 4 by striking out of the same the word "white."

Which was read.

The question being, shall the joint resolution pass.

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Riley,

Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Johnston of Dearborn, Reno and Spencer—3.

So the joint resolution passed.

Ordered, that the Principal Clerk inform the Senate thereof.

House Joint Resolution No. 19. A joint resolution to amend section 5 of article 4 of the Constitution of the State of Indiana.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendment to section 5 of article 4 of the Constitution of the State of Indiana is hereby agreed to, and, in case the same shall be agreed to by a constitutional majority of each branch of the next General Assembly, then the same shall be submitted to the people of the State for their adoption or rejection.

SEC. 2. Amend section 5 of article 4 by striking out of the same the word "white."

Which was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Johnson of Dearborn and Reno.—2.

So the joint resolution passed.

Ordered, that the Principal Clerk inform the Senate thereof.

House Joint Resolution No. 20. A joint resolution to amend the Constitution of the State of Indiana.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendment to the Consitution of

the State of Indiana is hereby agreed to, and in case the same shall be agreed to by a constitutional majority of each branch of the next General Assembly, then the same shall be submitted to the people of the State for their adoption or rejection :

SEC. 2. Amend said Constitution by striking out of the same the whole of article 13.

Which was read.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carson, Claypool, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Riley, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Coffman, Johnson of Dearborn and Reno—3.

So the joint resolution passed.

Ordered, that the Principal Clerk of the House inform the Senate thereof.

House Joint Resolution No. 1. A joint resolution proposing to amend section 14 of article 2 of the Constitution of the State of Indiana.

Be it resolved by the General Assembly of the State of Indiana, That section 14 of article 2 of the Constitution of the State of Indiana be and the same is hereby amended to read as follows, to-wit :

SECTION 14. All general elections shall be held on the first Tuesday after the first Monday in November until otherwise provided by law.

Be it further resolved, That said proposed amendment shall be entered on the journals of each House of the present Legislature, and the same is hereby referred to the General Assembly of the State of Indiana, to be elected at the next general election.

Which was read.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were Messrs. 'Adams, Albert, Ames, Ashby, Austin, Baxter, Branyan, Butler, Cary, Carr, Carson, Claypool, Coffman, Cole, Collins, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulett, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey Paige, Peelle, Perigo, Priest, Riley, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker.—72.

Those who voted in the negative were Messrs. Benz, Compton, Rea, Reno and Stewart—5.

So the joint resolution passed.

Ordered, that the Principal Clerk inform the Senate thereof.

House Joint Resolution No. 3. A joint resolution proposing to amend article 2, section 2 of the Constitution of the State of Indiana.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendment to article 2, section 2 of the Constitution of the State of Indiana, be and the same is hereby agreed to, and in case said amendment shall be agreed to by a constitutional majority of each house of the next General Assembly, then the same shall be submitted to the people of the State for their adoption or rejection.

SEC. 2. Amend article 2, section 2, by striking out "may reside" and inserting in lieu thereof the following: "shall have resided for the sixty days next preceding such election, and when his name shall have been registered, according to such regulations as may be prescribed by law."

Which was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Baxter, Butler, Cary, Carr, Claypool, Coffman, Cole, Cook, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of

Union, Kemmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Riley, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker.—67.

Those who voted in the negative were Messrs. Albert, Benz, Branyan, Collins, Compton, Rea, Reno, Spencer and Stewart—9.

So the joint resolution passed.

Ordered, that the Principal Clerk inform the Senate thereof.

The resolution of instructions to the committee on elections was laid upon the table.

Leave of absence was granted to Mr. Albert for to-morrow, also to Mr. Lehman until Monday, and to Messrs. Foster of Allen, and Benz until Tuesday, also to Messrs. Paige and Little until Monday.

Mr. Peelle entered a motion to reconsider the vote of the House on yesterday, by which House Bill No. 34, introduced by Mr. Cole, was lost.

Pending the further call for reports from committees, on motion by Mr. Hatfield, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING,

FEBRUARY 3, 1877.

The House met, with the Speaker in the chair.

On motion by Mr. Compton, the reading of the Journal of yesterday's proceedings was dispensed with.

The House resumed the order of business pending at adjournment, being reports from committees, whereupon Mr. Lane, from the committee on engrossed bills, made the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bills Nos. 38 and 149, and find them correctly engrossed.

Mr. Lanham, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have compared House Bill No. 328 with the original bill and find the same correctly engrossed.

Mr. Adams, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means, to which was referred House Bill No. 106, introduced by Mr. Lane, entitled "An act to amend section 4 of an act entitled 'an act in relation to the organization of the two Houses of the General Assembly,'" have instructed me to report that they have duly considered the same, and recommend its passage.

Which report was concurred in.

Mr. Lane moved that the order of business be suspended, the bill considered engrossed, read a third time and put upon its passage.

Which was not agreed to.

The bill was ordered to be engrossed.

Mr. Garver from the committee on organization of courts submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 212, entitled "An act providing for the publication of official matter in German newspapers," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Garver from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to which was referred House Bill No. 205, introduced by Mr. H. J. Lockhart, entitled, "A bill creating the — judicial circuit, providing for the appointment or election of judge and prosecuting-attorney", have had the same under consideration and have directed me to report the same back to the House, with the recommendation that said bill be amended by inserting the words "forty-three" in the fourth line of section

1; and they further recommend that said bill, when so amended, do pass.

The question being upon concurring in the report of the committee.

Mr. Kennedy of Rush moved the previous question, which was seconded by the House, and the main question ordered.

Messrs. Thompson of Elkhart and Hauss demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Branyan, Carlton, Cole, Collins, Compton, Copeland, Craft, Dannettell, Ensley, Freeman, Garver, Hall, Henderson, Koontz, Langdon, Lockhart, Peelle and Whitehead—21.

Those who voted in the negative were Messrs. Ashby, Baxter, Bumgarner, Butler, Carr, Carson, Chawner, Claypool, Coffman, Crumpacker, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Guthrie, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Lanham, Leeper, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Perigo, Priest, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—55.

So the report was not concurred in, and the bill was laid upon the table.

Mr. Kennedy of Rush entered a motion to reconsider the vote by which House Bill No. 372, introduced by Mr. Henderson, passed on yesterday.

Leave of absence was granted to Mr. Dannettell until Tuesday morning, and to the committee on education until Tuesday.

The committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills have this day presented to the Governor for his signature Enrolled Senate Bill No. 6.

On motion by Mr. Craft, the order of business was suspended, and House Bill No. 376 read a second time and referred to the committee on judiciary.

The hour having arrived, the special order therefor being consideration of the resolution of Mr. Kennedy of Union, declaring

the right of women to vote under the 14th and 15th amendments to the Constitution of the United States, was taken up and considered.

Mr. Viehe moved the previous question, which was seconded by the House, and the main question ordered, being upon the adoption of the resolution.

Messrs. Viehe and Branyan demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Austin, Baxter, Cole, Craft, Crumpacker, Foster of Monroe, Girton, Guthrie, Highway, Harper, Kennedy of Union, Lane, Lanham, Lockhart, Mathews, Moorman, Priest, Swayzee, Thomas, Yaryan and Zehring—22.

Those who voted in the negative were Messrs. Ames, Ashby, Branyan, Bumgarner, Butler, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Cook, Copeland, Endsley, Freeman, Fromm, Garver, Gossman, Grubbs, Hall, Hatfield, Hauss, Henderson, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kimmell, Koontz, Langdon, Leeper, Madden, Merriman, Morgan, McCarty, McGaughey, Peelle, Perigo, Reno, Smith, Spencer, Stewart, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Zimmerman and Mr. Speaker—51.

So the resolution was not adopted.

On motion by Mr. Spencer, the House adjourned to Monday at 2 o'clock P. M.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY AFTERNOON,

FEBRUARY 5, 1877.

The House met at 2 o'clock, with the Speaker in the chair.

The Journal of Saturday's proceedings was read and approved.

Reports from committees pending on adjournment were called for by the Speaker ; whereupon,

- The following report was submitted from the committee on engrossed bills.

MR. SPEAKER:

Your committee on engrossed bills have examined House Bills Nos. 80, 106, 181 and 254, and find them correctly engrossed.

Mr. Grubbs, from the committee on the judiciary, submitted the following report:

MR. SPEAKER:

Your committee on the judiciary, to which was referred House Bill No. 186 entitled "A bill for an act to amend section 249 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State. To abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to which was referred House Bill No. 211, entitled "A bill concerning changes of venue in the circuit courts," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill laid upon the table.

Mr. Grubbs from the committee on judiciary submitted the following report:

MR. SPEAKER:

Your committee on judiciary to which was referred House Bill No. 128, entitled "An act amending an act to enable and empower executors and administrators to enforce partition of the real estate of decedents," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended:

1. By striking out all after the enacting clause, and insert in lieu thereof the following section, viz:

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 1 of the above entitled act be amended so as to read as follows :

“That in all cases wherein it is now necessary, or may hereafter become necessary, for any executor or administrator of any deceased person, to make sale of the real estate of such deceased person to pay debts of such estate, or for any cause that may arise in and for the settlement of such estate, and in which the widow of such deceased person, or any other person or persons that may own or be entitled to an interest in such real estate, any such executor or administrator may enforce partition of such real estate before or at the time of filing his petition to sell such real estate for the purposes aforesaid, by petition to the proper circuit court, making such widow and all other persons holding an interest or pretended interest in said lands, party defendants thereto, and the notice to such widow and other defendants of the pending of such petition, shall be the same as is now required by law in other cases of partition, and the court shall appoint a commission to make such partition, as is now provided by law, and such commission shall be governed in their proceedings in all things by the acts now in force relating to partition of real estate.”

“Section 2. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.”

And it is further recommended that said bill, when so amended, do pass.

The report was concurred in and the bill, as amended, ordered to be engrossed.

Mr. Grubbs, from the committee on the judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 196, entitled, “An act regulating interest on money contracts, judgments, recoupments, set off and recover back illegal interest,” have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 263, entitled "An act to amend an act entitled 'an act providing for the appointment of notaries public and defining their powers and duties,'" have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be laid on the table.

The report was concurred in and the bill laid upon the table.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 220, entitled "A bill to repeal sections 4 and 5 of the assessment laws," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by striking out of said bill all after the enacting clause, and inserting in lieu thereof the following words : That sections 4 and 5 of said act be and the same are hereby repealed. And they further recommend that when said bill be so amended it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

The following report was submitted from the committee on engrossed bills :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bill No. 22 and find it correctly engrossed.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 89, entitled "An act to amend an act entitled 'an act to amend section 16 of an act entitled an act concerning real property and the alienation thereof,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by inserting after the

word "situate," in the ninth line of the first section, the words "within ten days after the execution thereof," and they further recommend that the said bill be further amended by inserting the words "not recorded within the time aforesaid," after the word "leases," in the eighteenth line of said first section. And they further recommend that when said bill be so amended, it do pass.

The report was concurred in by the House, and the bill as amended ordered to be engrossed.

Mr. Baxter from the committee on judiciary submitted the following report:

MR. SPEAKER:

Your committee on judiciary to which was referred House Bill No. 261, entitled "An act to amend section 387 of an act entitled 'An act regulating general elections, and prescribing the duties of officers in relation thereto,'" have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Branyan from the committee on organization of courts submitted the following report:

MR. SPEAKER:

Your committee on organization of courts to which was referred House Bill No. 362, introduced by Mr. Yaryan, entitled "An act to amend section 79 of an act entitled 'An act providing for the election and qualification of justices of the peace and defining their jurisdiction, powers and duties in civil cases,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause, and by substituting the following:

"SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That section 79 of the above entitled act be and the same is hereby amended so as to read as follows:

SECTION 79. Such execution shall be made returnable at the expiration of ninety days from the date thereof; but may be returned sooner if no property of the execution debtor can be found, and if payment be made before the expiration of ninety days he shall return the same forthwith thereafter.

And they further recommend that said bill, when so amended, do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Compton, from the committee on organization of courts, submitted the following report:

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 299, introduced by Mr. Baxter, entitled "An act to amend section 54 of an act dividing the State into circuits," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in.

Mr. Compton moved that the order of business be suspended, the bill considered engrossed, read a third time and put upon its passage.

Which was agreed to and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Adams, Albert, Ames, Ashby, Baxter, Branyan, Butler, Carr, Carson, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Davis, Elwell, Endsley, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—77.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Compton, from the committee on the organization of courts, submitted the following report:

MR. SPEAKER :

Your committee on the organization of courts, to whom was

referred House Bill No. 169, introduced by Mr. Moorman, entitled "An act to provide for the detention and arrest of felons," have had the same under consideration, and have directed me to report the same back with the recommendation that it do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Leave of absence was granted Messrs. Hubbard and Fromm until to-morrow.

Mr. Kennedy of Rush called up his motion (entered on Saturday of last week) to reconsider the action of the House in passing House Bill No. 372, introduced by Mr. Henderson, and offered the following resolution :

WHEREAS, A motion was entered in this House February 3, to reconsider the vote by which House Bill No. 372 was passed ; and

WHEREAS, Said bill has been sent to the Senate ; therefore,

Be it resolved, That the Senate be requested to return the same to this House.

Mr. Henderson moved to lay the resolution upon the table, upon which motion the ayes and noes were demanded by Messrs. Henderson and Spencer ; whereupon,

Those who voted in the affirmative were Messrs. Albert, Ashby, Austin, Baxter, Butler, Carson, Cole, Collins, Compton, Conley, Cooley, Davis, Gossman, Hall, Henderson, Hosmer, Madden, Merri-
man, McCarty, Oglebay, Perigo, Priest, Reno, Spencer, Stewart, Thomas, Wells and Warrum—28.

Those who voted in the negative were Messrs. Adams, Ames, Branyan, Carey, Carr, Claypool, Cook, Copeland, Craft, Crum-
packer, Freeman, Garver, Girton, Guthrie, Harris, Hauss, High-
way, Harper, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Moorman, Morgan, McGaughey, Paige, Peelle, Riley, Scott, Smith, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan, Zehr-
ing, Zimmerman and Mr. Speaker—47.

So the motion to lay the resolution upon the table did not prevail.

Mr. Branyan moved the previous question.

Which was seconded by the House, and the main question ordered, being upon the adoption of the resolution.

Whereupon the resolution was adopted, and the Principal Clerk directed to transmit the same to the Senate.

The following message was received from His Excellency, Governor Williams, by his Private Secretary, Mr. Downey:

To the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House that he has this day signed House Bill No. 116, entitled "An act providing for continuance of causes," and that he has caused said act to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, Feb. 2, 1877.

Mr. Cole called up Mr. Peelle's motion to reconsider the action of the House in rejecting Mr. Cole's House Bill No. 34 on its third reading.

The motion to reconsider was agreed to.

Mr. Cole moved that the bill be recommitted to the committee on roads, with the following instructions :

I move to recommit House Bill No. 34 to the committee on roads, with instructions to amend the same so that,

1. The owners of a majority of acres as well as the majority of owners of lands shall be required to sign the petition for the road.

2. So that the tax levied on lands for the construction of such roads shall be a first lien, as other taxes are.

3. So that the amount of bonds outstanding at any one time shall not exceed a certain specified amount.

4. So that the personal property as well as the real estate may be assessed for the construction of such road when asked for by a majority of all persons who will be assessed on personal property for such improvement.

5. So that all the lands that will be assessed for the construction of such road shall be held responsible to the county to protect the county against all possibility of loss or responsibility arising from any judicial proceeding affecting the assessments for benefits, and also all costs and expenses that may arise in any litigation, and reassessments may be made to discharge the same.

Mr. Viehe moved the following amendment to the instructions: That no lands shall be so assessed which do not lie within one

and one-half miles of either side or either end of said contemplated road.

Mr. Garver moved the previous question, which was seconded by the House, and the main question ordered.

Mr. Viehe's amendment to the instructions was agreed to.

The question recurring on the motion to recommit with instructions.

Mr. Zehring moved the following amendment to the instructions:

I move to amend the instructions so as not to embrace anything about personal property.

Which, on motion of Mr. Lehman, was laid upon the table.

The question again recurring upon the motion to recommit.

It was agreed to.

Mr. Cole, from the committee on the organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on the organization of courts, to whom was recommitted House Bill No. 227, entitled "An act making it a misdemeanor to sell, convey, or conceal, mortgaged chattels," have had the same under consideration, and have directed me to report the same back to the House with the following recommendations, that the same be amended by inserting after the word "convey," in line eight of the first section, the word "mortgage," and by striking out in line eleven in said said section, after the word "consent," the words "in writing," and by adding to said section, after the word "assignee," in line twelve, the words "to sell, convey or mortgage any chattel to any person, on which there is a chattel mortgage, or bill of sale, without disclosing such fact to the purchaser or mortgagee, if such fact be known to him."

And they stand by their recommendation to strike out section 3 "being the emergency clause," and they recommend that when said bill is so amended the same do pass.

The report was concurred in by the House, and the bill as amended ordered to be engrossed.

Mr. Cole, from the committee on the organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on the organization of courts, to which was

referred House Bill No. 281, introduced by Mr. Johnson of Dearborn, entitled "An act to amend section 2 of an act entitled 'an act to amend section 8 and section 10 of an act entitled 'an act providing for the election and qualification of justices of the peace,''" have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do lie upon the table.

The report was concurred in by the House, and the bill laid upon the table.

Mr. Yaryan, from the committee on ways and means, submitted the following report:

MR. SPEAKER:

Your committee on ways and means to whom was referred House Bill No. 100, have had the same under consideration, and direct me to report that this is a bill proposing to amend section 53 of the assessment laws, which allows the deductions of debts from credits. A majority of your committee believe the principle of this section to be erroneous. They can see no good reason why creditors and money lenders should be allowed to deduct their indebtedness from their credits, when the owners of real and personal property are not allowed to deduct their indebtedness from the value of the property for which it was contracted. But your committee think the bill as referred to them does not provide a sufficient remedy for the evil, and therefore recommend the adoption of the following amendment, and that when so amended the bill do pass:

1. Amend by striking out all after the enacting clause and insert as follows:

That section 53 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, be and the same is hereby repealed, and that all laws and parts of laws authorizing any person, partnership or corporation to deduct any indebtedness from the credits required to be returned for assessment for purposes of taxation, be and the same are hereby repealed.

Mr. Adams, from the committee on ways and means, submitted the following minority report:

MR. SPEAKER:

The undersigned, one of your committee on ways and means, to whom was referred House Bill No. 100, introduced by Mr. Hulet, providing for the repeal of section 53 of the law providing

for a uniform assessment of property, and for the collection and return of taxes thereon, which permits the the tax-payer to deduct his *bona fide* indebtedness from his credit or money at interest, or other demands against persons either within or without the State, would recommend that the above bill lie on the table.

Mr. Ashby moved the previous question, which was seconded by the House, and the main question ordered, being upon the adoption of the minority report.

The ayes and noes were demanded by Messrs. Branyan and Spencer.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Baxter, Branyan, Butler, Carr, Claypool, Cole, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Davis, Endsley, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Highway, Hosmer, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr Speaker.—66.

Those who voted in the negative were Messrs. Collins, Compton, Henderson, Harper, Hulet and Johnson of Dearborn—6.

So the minority report was adopted, and the bill with the majority report thereon was laid upon the table.

Leave of absence was granted Mr. Austin until Wednesday morning.

Pending the call of committees for reports, on motion by Mr. Albert, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

TUESDAY MORNING,

FEBRUARY 6, 1877.

The House met with the Speaker in the chair.

The reading of the journal of yesterday's proceedings was dispensed with.

To the Honorable Speaker

And Gentlemen of the House of Representatives :

In response to your resolution of inquiry in respect to the losses arising in the management of the school fund now loaned by county Auditors in the various counties, I have the honor to reply as follows :

The information asked for in paragraphs one, two and three of the resolution can only be furnished by the county auditors. This information can be obtained by means of circulars from this office, or more properly by the Superintendent of Public Instruction, addressed to the county auditors, but probably not before the adjournment of the Legislature.

In answer to paragraphs four and five of the resolution, I submitted the same to Prof. J. H. Smart, and I have the honor to lay before you his answer. That the losses of the school revenues is large is evident from the amount of interest that the counties have to pay into the State treasury under a provision of the constitution. A joint resolution directing the county auditors to report to the Superintendent of Public Instruction the information asked for in your resolution, and providing for the same to be tabulated and incorporated in his annual report of 1877, to be acted on by the next session of the Legislature, would perhaps suggest such legislation as would prevent losses in the future, and enable officers under the law now in force to recover such of the losses the school fund has already sustained.

Respectfully submitted,

E. HENDERSON,

Auditor of State.

Hon. E. Henderson, Auditor of State :

SIR :—In reply to your communication asking me for information concerning losses of the Common School Fund, and for my

suggestions in regard to proper legislation to prevent such losses hereafter, I have the honor to say:

1st. There is no record in this office showing the losses of the school funds during recent years. The county commissioners are required to make up any losses that may arise in the management of the school funds, and to report the full amount of the funds each year to the Superintendents of Public Instruction, but they are not required to report the losses sustained by the counties in the management of the funds. It would take several weeks to obtain this information, even if the Auditors were disposed to give it.

2d. Without accurate information from each of the counties, it would be impossible to determine the extent of the losses, and equally impossible to tell who is responsible for them.

3d. In regard to the losses of the revenue, I reply that although the borrowers of the school fund are required to pay interest in advance to the counties, were required to pay out of the county treasury to balance the interest account amounts as follows:

For the year 1865.....	\$6,952 05.
For the year 1866.....	10,361 67.
For the year 1867.....	7,633 52.
For the year 1868.....	8,486 74.
For the year 1869.....	9,317 89.
For the year 1870.....	8,444 34.
For the year 1871.....	6,450 21.
For the year 1872.....	8,873 76.
For the year 1873.....	21,899 17.
For the year 1874.....	19,872 12.
For the year 1875.....	16,076 26.
For the year 1876.....	17,920 66.

The amount paid by the counties to balance the account of interest on the congressional township fund is probably about one-third the amount annually of the losses on the common school fund.

This does not represent the actual loss to the counties, as many of the borrowers undoubtedly subsequently paid up their interest in arrears.

4. Although not embraced within the scope of your inquiry, I beg leave to state that the losses to the congressional township fund are, in my opinion, much greater than those of the common school fund, and any inquiry, therefore, in regard to losses to the funds, should include both the common school fund and the congressional township fund.

5. I respectfully suggest the following points in relation to the better management of the funds :

1. More stringent regulations in regard to the valuation of property offered in mortgage by borrower, and regard to the prompt collection of interest.

2. Provisions for more speedy sale of forfeited lands held as securities.

3. Provisions requiring county auditors to distribute the precise amount of congressional township revenue reported to the State Superintendent of Public Instruction each year.

4. Provisions whereby each county shall have exclusive management of the funds belonging to congressional townships or parts of congressional townships lying within its borders.

5. Provisions by which small amounts of money belonging to congressional townships can be consolidated into one loan by the county auditor.

Very respectfully,

JAMES H. SMART,
Superintendent of Public Instruction.

Which was read and referred to the committee on education.

The Speaker laid before the House the following communication from President Kappes of the Board of Managers of the Reformatory Institution for Women and Girls.

To the Hon. John Overmyer, Speaker of the House of Representatives of the State of Indiana :

SIR :—I present herewith a report, on behalf of the Managers of the Indiana Reformatory for Women and Girls, which you will please transmit to the House, and oblige

Your obedient servant,

J. H. KAPPES,
President of Board of Managers.

To the Speaker of the House and Representatives of the State of Indiana :

GENTLEMEN :—I take this method of addressing you on behalf of the Board of Managers, in regard to the report made by Mr. Lewis Jordan, a recently appointed member of the Board of Visitors to the Indiana Reformatory. This report does great injustice to the Board of Managers, more particularly to myself, as its President.

Mr. Jordan received his appointment November 18, 1876, and

made his *only* visit to the Institution on December 5, 1876. Mrs. E. A. Roache and Mrs. Rhoda Coffin are the only lawfully appointed Visitors. Mrs. Coffin, in her report to the Governor, rendered January 18, 1876, uses the following language:

"Every facility has been afforded them by the Board of Managers and Superintendent for the discharge of the duties assigned to this Board. We believe the Managers and officers are all faithfully endeavoring to labor for the best interests of those committed to their care."

Mrs. Roache, in her report to the Governor, rendered July 1, 1876, says, also: "We believe the officers and managers are faithfully laboring for the best interests of those committed to their care."

Mrs. Smith, the Superintendent, closes her report to the Board of Managers for the year 1876, as follows: "Accept my thanks for all the kindness and deep interest in the management of the institution and the welfare of its inmates."

Mr. Jordan, however, now comes forward and presents a report, wherein he makes statements entirely upon hearsay, most of them wholly false, and delivers opinions in an oracular manner, as if he understood everything pertaining to the management of the Reformatory. Mr. Jordan is a lawyer, and ought to know that assertions based upon "hearsay" are of very little value. Governor Hendricks, in his biennial message, uses the following language: The boards of trustees in charge of the benevolent institutions, do not give that protection to the State which was intended. They make stated visits, hastily examine the "vouchers" and accounts, look through the wards and rooms, but generally receive their views and opinions from the superintendents. There is not that thorough investigation and rigid control which should prevail."

At the time of my appointment, nearly three years ago, I found the same practice had prevailed at the Reformatory. The Governor called my attention to this fact and desired that a change should be made in this respect. One day I was called to his office and informed by him, that complaint had been made, charging certain abuses of power upon the Superintendent. His Excellency requested that I should visit the institution and by personal investigation endeavor to ascertain the facts. I did so; and from time to time made report to the Governor and the Board of Managers, which resulted in the framing of certain rules and regulations, which the Board thought necessary for the welfare of the institution.

These rules and regulations are a matter of record and are subject to the examination of your honorable body at any time. It was not specially my fault that as President of the Board, I should have been commissioned to make these investigations, yet it has brought upon me the personal attack of Mr. Jordan. Mr. Jordan says, again, paragraph 3: "I find, upon investigation, that there has been some conflict between the managers and the present Superintendent, Mrs. Smith." Again he says, "The Superintendent has made no complaint to me, but from several sources I have heard," etc. The Board of Managers are the sworn officers of the institution, whom the law holds responsible for its judicious management. The Superintendent is employed by them, and should yield to lawful control, in which case there can be no conflict.

At our meeting in December last, the only one at which Mr. Jordan was ever present, the right of the Board to employ the officers of the Reformatory, was called in question. The law, however, is explicit on this point.

Mr. Jordan says:

"The President has to some extent supplanted the Superintendent in supervising and directing the domestic affairs of the institution."

The President has never done this.

Mr. Jordan finds (upon inquiry) "that the President has made his will paramount in all things." This statement is falsely absurd. The President has had no will beyond the welfare of the whole institution.

Had Mr. Jordan applied to any authentic source for information, he would have ascertained that the President has never issued an order that had not first received the full sanction of the Board.

With regard to the number of visits made by the President, when other members of the Board did not accompany him, I venture the assertion that my colleague, Mr. John A. Finch, has during the last year made six times as many visits unaccompanied as I have done. This circumstance is mentioned for the purpose of convincing you that other members of the Board have been equally faithful with myself.

Mr. Jordan very oracularly informs you, "That if the Superintendent is faithless or incompetent she should be removed." But how shall the managers form an intelligent opinion on this subject? Shall it be by inquiring of the Superintendent whether she thinks herself competent, and by simply going through the building at such

times and under such circumstances as she herself appoints? Ought any Superintendent of a State institution to be allowed autocratic rule?

An independent and intelligent Board of Managers is required to correct abuses of power.

The managers are exceedingly practical in their views concerning the management of the Reformatory. They desire above all things, that the girls shall be systematically and usefully employed, and that they shall more especially be instructed in the arts and practices of domestic life. At present this is imperfectly done.

The managers are in favor of strict discipline, but they do not believe in tyranny and abuse, whipping, ducking, the application of cold water from the water hose upon the girls in a nude condition, knocking down, pulling hair and striking upon the head, or using harsh and reproachful epithets, are all forbidden by the Board, moral measures are in most cases sufficient, but where inmates are refractory, we recommend close confinement or a deprivation of privileges.

Again: The managers require strict impartiality, believing the the most deserving should be the most highly favored.

There are no inmates of the institution so thoroughly hardened that they are insensible to the influence of correct, moral and religious teaching. The religion of Jesus Christ cannot be enforced by blows, and prayer, to be of any value, must not be compulsory. These are the views of the managers, and if the Board of Visitors and officers hold different opinions, as Mr. Jordan asserts, we are not responsible.

Fully five acres of ground are left for gardening purposes, and if the girls are not regularly employed in the garden, it is not the fault of the managers.

Whether any considerable portion of the inclosed ground shall be used as a cow-pasture, is a question fairly open for discussion. We cannot have a cow-pasture and garden both without additional fencing.

Having accepted an appointment from the Governor on the Board of Managers, without any solicitation on my part, it has been my determination, earnestly and faithfully, to discharge the obligations devolving upon me to the best of my ability, and the Board demand that your honorable body will, by careful investigation, determine whether they have been faithful in the performance of this duty.

Mr. Jordan recommends "that the Board of Managers shall hereafter be composed entirely of women." Why not go a little further, and say that the Board of Visitors (which includes himself) should be composed entirely of women? With my experience of the affairs of the institution for the last three years, I am decidedly of the opinion that the Board of Managers should be men well qualified for the position. In no other way can the institution be a success.

Mr. Jordan charges the managers with misappropriation of the funds. On this point we have only to say, that certain improvements, such as were deemed necessary, and the plans for which had received the sanction of the Governor, had been commenced, and we felt that it was better to finish the work. The work and appropriation for its performance appear in full in our report.

Mr. Jordan takes occasion to criticise severely almost every piece of work undertaken by the managers. It is for you, gentlemen, to consider whether his opinions shall have more weight than those of the sworn officers of the board, the Governor of the State, and the competent gentlemen from whom the board sought advice.

On behalf of the Board of Managers :

J. H. KAPPES,

President of Board of Managers.

Which was read and referred to the committee on reformatory institutions.

The pending order, being reports from committees, was resumed.

Mr. Guthrie, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to which was referred House Bill No. 185, entitled "A bill for the relief of persons whose property was taken, injured, or destroyed by the United States troops under command of Generals Hobson, Love, Wallace and others, while in pursuit of the rebel forces under John Morgan, in the year 1863," have had the same under consideration, and the majority of said committee have directed me to report the same back to the House, with the recommendation that it do pass.

Mr. Swayzee, from the committee on claims, submitted the following minority report :

MR. SPEAKER :

The undersigned being a minority of the committee on claims, to

whom was referred House Bill No. 185, entitled "A bill for the relief of persons whose property was taken, injured, or destroyed by the United States, or by the State troops under the command of Generals Hobson, Love, Wallace, and others, while in pursuit of the rebel forces under John Morgan, in the year 1863," differing from the majority of said committee, beg leave to recommend that said bill do lie upon the table.

The bill and the majority and minority reports thereon were made the special order for next Thursday at 10 o'clock A. M.

Mr. Lanham, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred the claim of George Hoffman for necessary repairs in Representative Hall, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be allowed and referred to the committee on ways and means for incorporation in the specific appropriation bill.

Which report was concurred in and the claim referred as recommended.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred the petition of Greene & Hadley, B. F. Worth, Tomlinson & Bro., Carry Fountain, J. F. Jurar, Abel H. Dennis, A. F. Stone, Cornelius Loy, John Sims, and Tucker & Pearson, for provisions, medicines, medical treatment, mechanical labor and materials, daily labor, and beef cattle furnished the House of Refuge for Juvenile Offenders, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be rejected.

Which was concurred in and the claim rejected.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred the claim of William B. Foley for services as Page of the Forty-ninth Session of the Indiana Legislature, have had the same under consideration,

and have directed me to report it back to the House with the the recommendation that it be rejected.

Which report was concurred in and the claim rejected.

By consent of the House the rejected claim of Mr. Berry was taken from the files and referred to the committee on claims.

By unanimous consent Mr. Thomas offered the following resolution :

WHEREAS, The State debt sinking fund has been discontinued by the law ;

AND WHEREAS, There is still remaining on hand moneys belonging to parties ; and other parties desiring to make payments to said fund ; therefore, be it

Resolved, That the Attorney General be requested to furnish to this House a statement of the amount due to purchasers, amounts out-standing, bonds, notes collected, together with information in regard to what further legislation, if any, is necessary for the best interests of interested parties and the State.

The resolution was adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled act to-wit :

Enrolled Senate Act No. 6. An act to legalize the official acts of the Board of Commissioners of Grant county Indiana, done at a special session of said Board held on the 14th and 15th days of April, 1874, in relation to the hearing of petitions praying said Board to order elections to be held in the townships of Mill and Fairmont in said county, for the purpose of voting aid in favor of the construction of the Cincinnati, Wabash and Michigan Railroad, etc.

I am also directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution, to-wit :

WHEREAS, The General Assembly of 1873 appointed a committee to solicit, examine and pass upon plans for a new State House ; and,

WHEREAS, Said committee in the performance of the duty devolving upon it, entailed an expense of several thousand dollars upon

the State, which money will be entirely lost to the State unless this General Assembly takes such action as seems necessary in the premises; therefore,

Resolved by the Senate, the House concurring, That the committee on public buildings be instructed to examine the records of the General Assembly of 1873, and the General Assembly of 1875, and the records of the committee of 1873, and that they make such further investigation as may be necessary to enable them to make a full and complete report of such proceedings heretofore had in relation to the erection of a new State House, for the information of this General Assembly, and that said committee be requested to act in the matter as expeditiously as possible. And the same is herewith transmitted to the House for its concurrence therein.

Also, that the Senate has acted upon the resolution of the House of Representatives requesting the return of Engrossed House Bill No. 372, consenting thereto, and the same is herewith returned to the House.

Mr. Yaryan offered the following resolution, which was adopted:

WHEREAS, The accumulation of business and constant pressure on the time of the committee on ways and means of the House renders it impossible to give the labor and attention required, to collect the material and prepare the measures required for the best interests of the State without special clerical help; therefore,

Resolved, That the committee be and they are hereby empowered and authorized to employ a clerk to aid in such labor, and that provision be made for the payment of such clerk in the specific appropriation bill, at a rate not to exceed five dollars per day.

Mr. Morgan, from the committee on rights and privileges, submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges to whom was referred House Bill No. 175, entitled "An act providing for the construction of fish ladders on the dams of the St. Joseph river," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 148, entitled "A bill giving the employes of corporations a lien for their work and labor upon the corporate property of such corporation and the earnings thereof, together with the mode of enforcing the same," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the said bill do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 44, entitled "A bill for the suppression of obscene literature, illustrations, advertisements and articles of obscene and immoral use, and articles for procuring abortion, repealing all laws in conflict herewith," have had the same under consideration, and have directed me to report the same back with the following amendment :

Amend section 3 by inserting the following after the words "any person," in line 13: "particularly describing the premises to be searched and the property to be searched for."

And recommend that the bill, when so amended, do pass.

Which report was informally passed over.

Mr. Carson, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 221, entitled "An act to prevent hogs running at large without rings in their noses," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie on the table.

Which report was concurred in and the bill laid upon the table.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bills

Nos. 261, 299, 227, 186, 220, 362 and 89, and find them properly engrossed.

Mr. Carson, from the committee on rights and privileges, to whom was referred House Bill No. 184, entitled "An act to amend section 1 of an act to provide for the regulation of the running at large of all kinds of domestic animals," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered engrossed.

Mr. Compton, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 145, entitled "A bill to amend section 18 of an act entitled 'an act regulating descents and the apportionment of estates,'" approved May 14, 1852, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Mr. Peelle moved to recommit the bill to the committee on rights and privileges.

Mr. Morgan moved to lay the motion on the table.

Which did not prevail.

The motion to recommit was agreed to.

Mr. Compton, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 163, entitled "An act to provide for the redemption of personal property sold for taxes," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Compton, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 245, entitled "A bill defining the crime of keeping

a bawdy house, prescribing the punishment therefor, and providing that certain persons may be compelled to testify against a defendant prosecuted thereunder," have had the same under consideration and have directed me to report the same back to the House with the recommendation that the same be amended to read as follows :

In line 11 of section one strike out the word "fifty," and insert "five" in lieu thereof; and in line twelve, section one, strike out "five hundred" and insert "one hundred" therefor. When so amended we recommend the same do pass.

Which report was concurred in and the bill ordered to be engrossed as amended.

Mr. Ashby, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred Joint Resolution No. 15, being a joint resolution directing and authorizing the Auditor of State and Treasurer of State," etc., have had the same under consideration, and instructed me to report it back and recommend that it do pass.

The report was concurred in.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Freeman, Garver, Girton, Grubbs, Guthrie, Hatfield, Hauss, Henderson, Harper, Hosmer, Hubbard, Kennedy of Rush, Kimmell, Koontz, Lanham, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Riley, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Warrum, Yaryan and Zimmerman—64.

Those who voted in the negative were Messrs. Askren, Branyan, Carson, Fromm, Gossman, Hall, Hulet, Johnson of Dearborn, Kennedy of Union, Langdon, Leeper, Lehman, Priest, Reno, Viehe, Zehring and Mr. Speaker—17.

So the joint resolution passed, and the Principal Clerk was directed to inform the Senate thereof.

Mr. Ashby, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to which was referred House Bill No. 98, an act entitled "An act to regulate the hanging of doors to the entrances of theatres, opera houses, public halls, museums, churches, colleges, seminaries and school buildings," have had the same under consideration, and have instructed me to report the same back with the following amendment: Amend section 1 by inserting after the word "outwardly," in line 10, the following, to-wit: "*Provided*, That rooms in school houses or churches, where the scholars or meetings assemble on the ground floor, are exempt from the provisions of this act." And have recommended that the bill when so amended do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Craft moved to suspend the order of business and take up Senate Bill No. 152, entitled "An act regulating the indebtedness of cities having a voting population of over sixteen thousand, as shown by the votes cast for governor, at the last preceding election, authorizing the funding of the indebtedness of such cities in bonds in certain cases, prohibiting the creation of city debt except as therein authorized, and prescribing the kind and amount that may be created, limiting the amount of taxes that may be levied by the common council and board of school commissioners respectively, prescribing penalties for certain violations of this act, and repealing all laws in conflict therewith, and declaring an emergency."

Which was agreed to.

Whereupon the bill was read the first time, and passed to a second reading on to-morrow.

Mr. Paige, from the committee on rights and privileges, submitted the following report:

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 253, entitled "An act to provide for the reduction of the rate of interest in the State of Indiana," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Paige, from the committee on rights and privileges, submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges, to whom was referred House Bill No. 177, being a bill for an act to establish the rate of interest, providing for the recoupment of usurious interest, and for the collection of attorneys' fees, repealing all laws in conflict, and declaring an emergency, have had the same under consideration, and instructed me to report it back with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Whitehead, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads, to whom was referred House Bill No. 136, have had the same under consideration, and report the same back with the recommendation that the same be laid upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Branyan called up the motion of Mr. Kennedy of Rush, to reconsider the vote by which House Bill No. 372, introduced by Mr. Henderson, was passed.

Mr. Henderson moved that the motion to reconsider be laid upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Henderson and Fromm.

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Baxter, Benz, Carlton, Compton, Conley, Dannettell, Fromm, Gossman, Hall, Hatfield, Henderson, Harper, Johnson of Dearborn, McCarty, Priest, Reno, Spencer and Stewart—21.

Those who voted in the negative were Messrs. Adams, Ames, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Cook, Copeland, Craft, Crumpacker, Endsley, Foster of Allen, Freeman, Garver, Girton, Grubbs, Guthrie, Hauss, Highway, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham,

Leeper, Lehman, Little, Lockhart, Madden, Mathews, Marsh, Meriman, Moorman, Morgan, McGaughey, Paige, Peelle, Perigo, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Warum, Yaryan, Zehring, Zimmerman, and Mr. Speaker—64.

So the motion to lay the motion to reconsider upon the table did not prevail, and the question now recurring upon the motion to reconsider, it was agreed to, whereupon on Mr. Branyan's motion the bill was laid upon the table.

Mr. Foster of Allen, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads, to whom was referred House Bill No. 335, "An act to make demands against railroad lines, etc.," have had the same under consideration, and a majority of the committee have directed that the bill be reported back to the House, with the recommendation that it do lie on the table.

Mr. Hall, from the committee on railroads, submitted the following minority report :

MR. SPEAKER :

The undersigned, a minority of the committee on railroads, dissents from the report of the majority of said committee on House Bill No. 335, "An act to make demands against railroads a lein, etc.," and recommends that said bill be amended by striking out all after the enacting clause, and inserting the following: "That all demands against any railroad company, on account of wages due its employes, or on account of materials and supplies furnished and used in and about the running and operating of the road of such company, and all demands against any railroad company on account of injuries to person or property, which may arise in or about the operation of the road of such company, shall be leins against such railroad company, its property and franchise, paramount to all other leins, except the lein of the State for taxes, and such leins shall have priority as against each other in the order in which they accrue; *Provided*, That leins for wages due employes, and for injuries to person and property, shall have priority over leins for materials or supplies."

And that the bill, when so amended, do pass.

The question being upon the adoption of the minority report,
It was adopted.

Whereupon the majority report was laid upon the table, and the bill ordered to be engrossed.

The committed on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have compared Engrossed House Bills Nos. 48, 241 and 214 with the original copies, and find the same in all respects correctly engrossed.

Mr. Grubbs, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads, to whom was referred House Bill No. 168. An act repealing an act entitled "An act to authorized aid to the construction of railroads by counties and towns taking stock in and making donations to railroad companies," approved May 12, 1869, have had the same under consideration, and they beg leave to offer as a substitute therefor a new bill herewith enclosed, prohibiting counties, townships, and cities from taking stock in or making donations to railroad companies, and they recommend the substituted bill, and that the original bill do lie on the table.

Which report was concurred in.

The substituted bill reported by the committee was numbered House Bill No. 377, being entitled "An act prohibiting counties, townships or cities from taking stock in or making donations to railroad companies.

Was read a first time and passed to a second reading on to-morrow.

The original bill was laid on the table.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bill No. 128 and find the same properly engrossed.

Mr. Compton, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads, to whom was referred House Bill No. 74, have had the same under consideration, and report the same back with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Gossman, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to which was referred House Bill No. 197, entitled "An act for the relief of temporary poor, providing for the expense thereof, prescribing certain duties of township trustees, repealing all laws in conflict therewith, and declaring an emergency," have had the same under consideration, and instructed me to report the same back with the recommendation that it be laid upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Kimmell, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 142, being a bill for an act to amend sections 1 and 2 of an act to provide for the organization of county boards, have had the same under consideration, and instructed me to report it back with the recommendation that it do pass.

Mr. Gossman, from the committee on county and township business, submitted the following minority report :

MR. SPEAKER :

The undersigned, member of your committee on county and township business, to whom was referred House Bill No. 142, would respectfully submit a minority report, and recommend that the bill be laid on the table.

The question being on the adoption of the minority report.

Messrs. Hauss and Thompson of Elkhart demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Baxter, Benz, Bumgarner, Butler, Carlton, Carr, Carson, Coffman, Collins, Compton, Conley, Cook, Craft, Dannettell, Foster of Allen, Freeman, Fromm, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Harper, Hosmer, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Leeper, Lehman, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, Paige, Peelle, Perigo, Priest, Reno, Spencer, Stewart,

Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—61.

Those who voted in the negative were Messrs. Branyan, Cary, Chawner, Claypool, Cole, Copeland, Crumpacker, Endsley, Garver, Girton, Highway, Hubbard, Hulet, Johnson of Dearborn, Koontz, Little, Lockhart, Riley, Sailors, Smith, Swayzee and Thomas—32.

So the minority report was adopted, and the bill and the majority report laid upon the table.

Pending the call of the roll of committees for reports, on motion by Mr. Lehman, the House adjourned.

AFTERNOON SESSION,

TUESDAY, February 6, 1877.

The House met, with the Speaker in the chair.

The special order for this day and hour, being the consideration of Engrossed House Bill No. 25, it was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Baxter, Benz, Branyan, Collins, Compton, Cook, Copeland, Dannettell, Fromm, Gossman, Grubbs, Hall, Hatfield, Henderson, Harper, Kennedy of Rush, Koontz, Lehman, McCarty, Sailors, Spencer, Stewart, Viehe, Warrum and Mr. Speaker—28.

Those who voted in the negative were Messrs. Ames, Ashby, Bumgarner, Butler, Carr, Carson, Chawner, Claypool, Coffman, Craft, Crumpacker, Foster of Allen, Freeman, Garver, Girton, Guthrie, Highway, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McGaughey, Paige, Pelle, Perigo, Reno, Riley, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Yaryan, Zehring and Zimmerman—49.

So the bill failed to pass.

The hour having arrived, the second special order, being the consideration of House Bill No. 191, and the reports thereon from the committee on organization of courts, it was taken up.

By consent of the House, the minority report was withdrawn.

Mr. Langdon moved that the bill and report of the majority be recommitted to the committee on organization of courts.

Which was not agreed to by the House.

Mr. Craft made the following motion.

I move to recommit to the committee on organization of courts with instructions to report an amendment making the price of the volumes four dollars to individuals, and three dollars and a half to the State.

Mr. Branyan moved the following amendment to the instructions of Mr. Craft :

MR. SPEAKER :

I move to recommit the bill to the committee on organization of courts, with instructions to amend so as to make the price per volume \$3.50 uniform, both for the State and individuals.

Mr. Cole moved that the motion to recommit be laid upon the table.

Which was not agreed to by the House.

The question recurring on the motion of Mr. Branyan, it was agreed to by the House.

The motion to recommit as amended was then agreed to, and the bill was recommitted to the committee on organization of courts.

Engrossed House Bill No. 61, a part of the special order for this hour, was on motion, laid upon the table to await further action on House Bill No. 191.

Mr. Copeland moved that the order of business be suspended, and that Senate Bill No. 142 be taken up.

Which was agreed to.

Senate Bill No. 142. A bill declaring school lands taxable after they have been sold and before deed is made, and legalizing all assessments, levy and collection of taxes heretofore made, and prohibiting the refunding of taxes paid, declaring an emergency, and other matters connected with the subject of taxation of school lands.

Was read the first time.

Mr. Copeland then moved that the constitutional rule be suspended, the bill read the second time by title, the third time by sections, and put upon its passage.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Reno, Riley, Sailors, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Branyan and Paige—2.

So the constitutional rule was suspended, the bill read a second time by title and a third time by sections.

Mr. Lehman moved the previous question, which was seconded by the House and the main question ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Butler, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Vehe, Welborn, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker.—82.

Mr. Branyan voting in the negative.

So the bill passed, and it was ordered that the Principal Clerk inform the Senate thereof.

Mr. Koontz, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 167, entitled "An act authorizing the payment of rewards for the arrest of horse thieves," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Koontz, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 132, being a bill for an act to amend section 2 of an act approved June 17, 1852, entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties," have had the same under consideration, and instructed me to report it back with the recommendation that it lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Priest was granted leave of absence until to-morrow.

Mr. Kimmell, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 273, being a bill for "An act to amend section 7 of an act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852, have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Gossman, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was

referred House Bill No. 36, entitled "A bill to amend section 8 of an act entitled 'an act to amend sections 102, 107, 108, 125 and 270, and to repeal section 276 of an act entitled 'an act to provide for a uniform assessment of property, etc,' " have had the same under consideration, a majority of whom have directed me to report the same back to the House, with the recommendation that the same do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Kennedy of Rush, from the committee on ways and means, submitted the following report:

MR. SPEAKER:

Your committee on ways and means, to whom was referred House Bill No. 311, have had the same under consideration, and direct me to report that this is a bill to graduate the penalties to be paid in the redemption of lands sold for taxes, your committee are convinced that the principle proposed is correct, and in order to simplify the process and meet reasonable demands, they recommend the following amendments:

1. Strike out all after the word "person," in line three, in section 208, as numbered, and insert as follows: "Having an interest therein, may redeem the same at any time during the two years next ensuing in the following manner: If redeemed within six months he shall pay to the county treasurer for the use of the purchaser, his heirs or assigns, the full sum of the purchase-money named in his certificate, together with fifteen per centum in addition; if redeemed after six months, and within one year he shall pay in like manner the purchase-money, together with twenty-five per centum in addition; if redeemed after one year, and within two years, he shall pay in like manner the purchase-money together with forty per centum in addition, and he shall also repay all taxes which have been paid thereon with six per centum per annum on such taxes.

2. Strike out all after the word "disability," in line 6 of section 210 as numbered, and insert in the same manner as is provided in section 208 for redemption by other persons.

3. Whereas, an emergency exists for the immediate taking effect of this act, it shall be in force from and after its passage.

And when so amended your committee recommend that the bill do pass.

Which report was concurred in.

Mr. Branyan moved that the order of business be suspended, the bill as amended be considered engrossed, read a third time and put upon its passage.

Which was agreed to, and the bill read a third time.

An act to amend sections 208 and 210 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and found on page 121, vol. 1 of Davis' late edition of the statutes of Indiana.

Mr. Swayzee moved the previous question, which was seconded by the House, and the main question ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Endsley, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Hatfield, Highway, Harper, Hosmer, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Peelle, Reno, Riley, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Yaryan, Zehring Zimmerman and Mr. Speaker—69.

Those who voted in the negative were Messrs. Benz, Carlton, Collins, Foster of Allen, Fromm, Gossman, Henderson, Hulet, Johnson of Dearborn, McCarty, Paige, Spencer and Stewart—13.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe moved the following amendment to the title of the bill:

I move to strike out of the bill all after the figures "1872."

Which amendment was agreed to.

Mr. Askren from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business to whom was referred House Bill No. 251, a bill to amend section 27 of an act entitled "An act for the relief of the poor," approved June 9, 1852.

"To allow temporary sick paupers or their friends the liberty of choice in the employment of physicians, and allowing such physicians fixed fees for their services in such cases, and fixing the time for the taking effect of this act," have had the same under consideration and have instructed me to report the same back with the recommendation that the same be laid upon the table.

Which report was concurred in and the bill ordered to be laid upon the table.

Mr. Thomas from the committee on agriculture, submitted the following report :

MR. SPEAKER :

Your committee on agriculture, to whom was referred House Bill No. 172, entitled "An act to provide liens in favor of agricultural, horticultural or mechanical associations," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Kimmell, from the committee on agriculture, submitted the following report :

MR. SPEAKER :

Your committee on agriculture, to whom was referred House Bill No. 28, entitled "An act to amend section 1 of an act entitled 'an act providing for the protection of fish,' " have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by striking out the word "twenty," in line 21 of section 1, (being the first line of the second page of said bill.) And they further recommend that said bill, when so amended, do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Endsley, from the committee on temperance, submitted the following report :

MR. SPEAKER :

Your committee on temperance, to whom was referred House Bill No. 200, entitled "An act to amend section 11 of the temperance law," etc., have had the same under consideration, and direct me to report the same back to the House with the recommendation that the same be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Dannettell, from the committee on temperance, submitted the following report :

MR. SPEAKER:

Your committee on temperance, to whom was referred House Bill No. 224, entitled "An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements and articles of an obscene and immoral use, and articles for procuring abortion, and to repeal all laws in conflict with this act," have had the same under consideration, and directed me to report the same back to the House with the recommendation that it lie on the table, as a bill of the same import is now before the House.

Which report was concurred in, and the bill laid on the table.

Mr. Reno, from the committee on temperance, submitted the following report :

MR. SPEAKER:

Your committee on temperance, to whom was referred House Bill No. 43, entitled "An act to suppress tippling houses, to regulate the sale, barter and giving away intoxicating liquors, to punish exhibitions of drunkenness, to provide and enforce penalties for violations of this act, to repeal all laws inconsistent therewith," have had the same under consideration, and a majority of said committee have directed me to report the same back to the House with the recommendation that the same do not pass.

Mr. Moorman, from the committee on temperance, submitted the following report :

MR. SPEAKER:

The undersigned, members of your committee on temperance, not concurring in the majority report of said committee on House Bill No. 43, entitled "An act to suppress tippling houses, to regulate the sale, barter and giving away of intoxicating liquors," beg leave to submit this minority report, recommending that the same do pass.

Mr. Branyan moved the previous question on the adoption of the minority report.

Which was not seconded by the House.

Mr. Viehe again moved the previous question.

Which was seconded by the House, and the main question ordered, being upon the adoption of the minority report.

The ayes and noes were demanded by Messrs. Carlton and Moorman.

Those who voted in the affirmative were Messrs. Baxter, Butler, Carey, Carr, Chawner, Claypool, Cole, Copeland, Freeman, Garver, Grubbs, Guthrie, Hall, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Koontz, Lane, Lanham, Little, Lockhart, Merriman, Moorman, Morgan, Sailors, Smith, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Wells, Yaryan and Zehring—35.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Ashby, Askren, Benz, Branyan, Bumgarner, Carlton, Coffman, Collins, Compton, Conley, Cook, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Henderson, Hosmer, Hulet, Johnson of Dearborn, Kimmell, Langdon, Leeper, Lehman, Madden, Mathews, McCarty, McGaughey, Paige, Peelle, Perigo, Reno, Riley, Spencer, Stewart, Thompson of Elkhart, Viehe, Welborn, Whitehead, Warrum, Zimmerman and Mr. Speaker—49.

So the minority report was not adopted.

The majority report was then concurred in, and the bill laid upon the table.

Mr. Moorman, from the committee on temperance, submitted the following report :

MR. SPEAKER :

Your committee on temperance, to which was referred House Bill No. 238, entitled "A bill for the suppression of the traffic in and circulation of obscene literature, and prescribing punishment for its violation, have had the same under consideration, and direct me to report the same back to the House, with the following amendments, to-wit: We recommend to strike out all of the first section after the word "person," in line 3 of the third page of said bill, and insert the following: "Shall, on conviction, be fined in any sum not less than fifty dollars nor more than five hundred dollars, to which may be added imprisonment in the county jail for any period of time not less than ten days nor more than three months for each offense, at the discretion of the court or jury trying the same."

And further, we recommend that section 3 of said act be amended as follows: Insert after the word "affirmation," in line 4 of said section, "as provided by the Constitution and the law for the issuing of a search warrant in other cases," and when so amended we recommend that the bill do pass.

Which report was passed over informally with a view to its consideration in connection with House Bill No. 44, and the report thereon passed over informally this morning.

Pending the call of committees, on motion by Mr. Moorman, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

FEBRUARY 7, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. D. P. Seaton, pastor of Vermont Street Methodist Episcopal Church, (colored.)

On motion by Mr. Branyan, the reading of the Journal was dispensed with.

Reports from committees, the order pending on adjournment yesterday, was resumed.

Mr. Baxter, from the committee on corporations, submitted the following report :

MR. SPEAKER:

Your committee on corporations to whom was referred House Bill No. 249, entitled "An act requiring the officers of certain corporations therein named to make out and publish annual statements," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Craft moved that the order of business be suspended that Senate Bill No. 152 might be read the second time and referred.

Which was agreed to, the bill taken up, read the second time and referred to the committee on affairs of the city of Indianapolis.

The following message was received from His Excellency, Governor Williams, by his Private Secretary, Samuel R. Downey :

To the Honorable Speaker of the House of Representatives :

The Governor has the honor to acknowledge the receipt of a copy of a resolution passed by the House of Representatives, February 1st, and in response thereto respectfully transmits herewith a copy of the message of the Governor communicated on the 5th of February, 1875, as the same appears of record in this office, and also a copy of each of the original papers remaining on the files in this office, which are referred to therein.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, February 6, 1877.

(Duplicate.)

THE STATE OF INDIANA,
EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 5, 1875.

Gentlemen of the House of Representatives :

I have received a letter from Simon P. Thompson, Esq., the Prosecuting Attorney of the Thirtieth Judicial Circuit, enclosing a statement of expenses incurred by the county of Benton, in the case of the State against McCullough, and enclosing also an order of the Board of Commissioners of that county directing the auditor and prosecuting attorney to cause the same to be presented to the Legislature, with a prayer that the said expenses be refunded to the county.

I communicate these papers for the consideration of the Legislature. The expenses amounted to \$2,432.35. The prosecuting attorney says that about \$1,800 of the amount was for extraordinary expenses. The prosecution was of great public importance. The murder had been committed many years before, and witnesses indispensable to the prosecution were brought from the States of Wisconsin and Illinois. Neither the murderer nor the man whom he killed was a resident of the county of Benton. They were passing through the county when the crime was committed. The murdered man was a resident of another part of the State.

The prosecuting attorney and the officers of Benton county displayed unusual zeal in pursuing, arresting and bringing the guilty party to punishment. The prosecution was conducted with care

and ability, and resulted in a conviction. Under the circumstances I think the county of Benton should not be left to bear the entire burden, but that the State should refund a portion of the expense.

THOS. A. HENDRICKS,

Governor.

(Copy.)

RENSSELAER, JASPER COUNTY, IND.,

December 18, 1874.

Hon. Thomas A. Hendricks,

Indianapolis, Indiana :

DEAR GOVERNOR :—Enclosed I hand you statement of expenses in case of the State vs. McCullough, \$2,432.35.

Benton county would be satisfied if the State could reimburse her the sum of eighteen hundred dollars.

Item 2—Witnesses before grand jury	\$ 200 00
Items 4 and 5—Recapture of prisoner.....	900 00
Items 7, 8, 9, 10, 12 and 20—To witnesses, Harold, Crye, Ball and Blackiston, from other States.....	183 20
No. 15—As to Mathews, prisoner at Michigan City.....	31 50
R. C. Gregory, defendant's attorney.....	500 00
	<hr/>
	\$1,814 70

The two witnesses, White and White, were attached in Madison county, and their expenses with the expenses of Sheriff, (see Nos. 11, 14 and 18,) \$75.00, making \$1,889 70, which is all that should be allowed. I suppose in any event, this would leave expense of trial of prisoner, \$542.65.

Very truly,

SIMON P. THOMPSON.

THE STATE OF INDIANA, }
COUNTY OF BENTON. } ss.

Benton Circuit Court.

THE STATE OF INDIANA,

vs.

JAMES L. McCULLOUGH.

To His Excellency, Thomas A. Hendricks, Governor :

I herewith transmit for your consideration a certified bill of costs in the above entitled cause, marked "A," and also copy of order

authorizing the matter to be presented for the consideration of the Legislature, marked "B." The amount of expenses is \$2,432.35, of which the greater part was extraordinary. See items Nos. 3, 4, 5, 7, 8, 9, 10, 12, 13, 14 and 15, aggregating \$1,846.

The taxable valuation of Benton county is light. Neither the accused or the deceased had ever resided in the county. The relations of the deceased are poor people. The cause was prosecuted with strict economy. The defendant was rightfully assigned able counsel for his defense. The escape from the jail was without any fault of the jailor's. The traveling expenses of the witnesses from other States had to be paid. The two Whites from Madison county were too indigent to pay either their fare or board. Will your Excellency invite attention of the Legislature to the matter, and recommend that certain items, to be designated by you, should be reimbursed to the county.

SIMON P. THOMPSON,
Pros. Attorney Thirtieth Circuit.

A bill of costs paid by Benton county, Indiana, in the case of the State of Indian vs. James L. McCullough, wherein he was charged with and convicted of the murder of one William H. Morgan :

December, 1869.

Paid Jonathan Kalb, Coroner, inquest expenses.	\$29 15
Paid A. Cowgill, Sheriff, expenses in procuring testimony from Wisconsin and Illinois before grand jury.....	200 00

March, 1873.

H. L. Mullen, Sheriff of Henry county, for arrest and delivery.....	45 00
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April 1873.

H. L. Mullen, Sheriff of Henry county, for arrest after escape from jail.....	700 00
H. C. Harris, Sheriff of Benton county, for money ex- pended in issuing circulars, telegraphing and travel- ing.....	200 00

June 1873.

Dr. Ellsworth, medical services rendered prisoner.....	10 00
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September 1873.

Miles Harold, witness from Wisconsin.....	50 00
Isaiah Crye, Wisconsin.....	50 00
Wm. P. Blackiston, Illinois.....	25 00

Charles A. Roll.....	\$25 00
Martin and Catharine White, witnesses from Madison county, Ind., to pay their expenses.....	25 00
J. D. Johnson, for telegraphing in relation to evidence....	16 00
R. C. Gregory, defendant's attorney.....	500 00
A. Z. Ross, Sheriff of Madison county, attaching witnesses..	40 00
D. Wagoner, bringing convict from Northern Indiana State Penitentiary to testify on trial.....	31 50
Joseph Hinkley, boarding prisoner in jail 22 days.....	17 00
James E. Murdock, Sheriff of Tippecanoe county, boarding and guarding prisoner from March 16, 1873, to August 25, 1873.....	223 00
Mayer and Ullman, Lafayette, clothing furnished prisoners	13 50
J. P. Harris, boarding Martin and Catherine White, witnesses from Madison county.....	15 00
F. A. Stokes, boarding Herold, Prye, Blackiston, and Roll, witnesses from Wisconsin and Illinois.....	17 20
Jury, trying case, five days.....	150 00
Clerk's per diem, five days.....	15 00
Sheriff's per diem, five days.....	15 00
Two House bailiffs, five days	25 00
Total.....	\$2,432 35

We, the undersigned, do hereby certify that the several amounts as above set forth have been allowed and paid by Benton county, Indiana, in the above entitled cause.

Witness our hands this 14th day of December, 1874.

WILLIAM SNYDER,
Auditor Benton County,

H. C. HARRIS,
Sheriff Benton County,

S. P. THOMPSON,
Benton County.

STATE OF INDIANA, }
BENTON COUNTY. } ss:

Benton Commissioners' Court, November Special Term, 1874.

Order of the Board petitioning the State Legislature to reimburse said county with funds expended in the McCullough case, and authorizing S. P. Thompson to present the same.

Be it remembered, that on the 21st day of November, 1874, the same being 2nd day of November, Special Term of the Board of Commissioners of Benton county, Indiana, began, held and continued at the Auditor's office in Oxford, Indiana, commencing November 20th, 1874, before the Honorables Robert M. Atkinson, John F. Baswell and Thomas Wilcox, Commissioners, the following proceedings were had in the above entitled cause:

Ordered by the Board, That the County Auditor be and he is hereby ordered to draw off an itemized statement of the county expenses in the McCullough case and forward the same to S. P. Thompson, who is hereby authorized to present the same to the State Legislature, praying that the State refund the said expenses to the county of Benton.

STATE OF INDIANA, }
BENTON COUNTY. } ss:

I, Wm. Snyder, Auditor in and for said county, do hereby certify that the above and foregoing is a true and complete copy of the proceedings of said Board in the above entitled cause on the day and year aforesaid, as appears of record in my office.

In testimony whereof, I hereunto subscribe my name
[SEAL.] and affix the seal of said Board this 7th day of December, A. D. 1874.

WILLIAM SNYDER,
Auditor Benton County.
J. S. B., Deputy.

RENSSELAER, JASPER COUNTY, IND.
January 13, 1875.

Hon. Thomas A. Hendricks,

Indianapolis, Indiana:

DEAR GOVERNOR—* * * * * I informed you in reference to the expenses of Benton county in the case of the State vs. McCullough in my letter of December 18th and accompanying statements, please give it your attention. In the same case I would be satisfied with an allowance of \$50.00 for services in preparing brief and other extra trouble. Have so written the Attorney General.

Very truly,

SIMON P. THOMPSON,
Prosecuting Attorney Thirtieth Circuit.

Which was read and referred to the committee on claims.

Mr. Mathews from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads to whom was referred House Bill No. 340 entitled, " An act repealing parts of an act entitled an act repealing an act entitled an act to amend sections 3 and 14 of an act entitled an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free," approved March 6, 1865, approved March 9, 1867 and all the act entitled, " An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing all laws on that subject," approved March 11, 1867, approved March 14, 1869, and declaring an emergency, which act so entitled repealed an act entitled an act authorizing the assessment of lands, for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject, approved March 11, 1867, approved May 14, 1869, and to revise the said act, approved March 14, 1869, so repealed, and providing that plank, macadamized, turnpike and gravel road companies hereafter organized shall not have the benefits of the said acts so revised, have had the same under consideration and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Sailors, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 204, have had the same under consideration, and have directed me to refer the same back to the House, and recommend that it do lie upon the table, as provisions to the same effect are made in another bill.

Which report was concurred in, and the bill laid upon the table.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No.

153, entitled "An act in relation to plank, gravel and turnpike road companies, to fix the rates of toll thereon in certain cases, to prevent the opening of ways around toll gates, to provide for injunctions and fixing and providing for the collection of penalties," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be amended :

1. By striking out sections 1, 3 and 4.
2. That the same be farther amended by striking out the word "fifty," in the third line of section 5, and insert in lieu thereof the words "two hundred," and that the same be further amended by striking out the word "county," in the tenth line of said section 5, and insert in lieu thereof the word "township." That the same be further amended by striking out the words "plaintiffs' road is situate," in the tenth line of said section 5, and insert in lieu thereof the words "offence was committed," and that the same be amended by striking out the word "county," occurring after the words "or of any," and insert in lieu thereof the word "township," and said committee further recommend that when said bill is so amended it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Wells, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 250, entitled "A bill to amend section 1 of an act entitled 'an act to amend sections 3 and 14 of an act entitled an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and to provide for the same to be free, approved March 6, 1865,' approved March 9, 1867, and all the act entitled 'an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject,' approved March 11, 1867, approved March 14, 1869, and declaring an emergency," approved March 13, 1875, have had the same under consideration, and have directed me to report the same back to the House and recommend that the same do pass.

On motion by Mr. Cole the bill was recommitted to the committee on judiciary.

Mr. Peelle, from the committee on insurance, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred House Bill No. 235, being "An act to enable boards of underwriters, incorporated by or under the laws of the State of Indiana, to establish and maintain a 'fire patrol,'" would respectfully report that we have had the same under consideration and recommend that the first section of said bill be amended by striking out of lines 2 and 3 thereof the words, "represented in the General Assembly," and when so amended we recommend the passage of said bill.

The report was concurred in, and the bill, as amended, ordered to be engrossed.

Mr. Branyan moved to suspend the order of business, in order that House Bill No. 374, introduced by Mr. Warrum, might be read a second time and referred.

Which was agreed to.

Whereupon the bill was read the second time and referred to the committee on judiciary.

Mr. Peelle, from the committee on insurance, submitted the following report:

MR. SPEAKER:

Your committee on insurance, to whom was referred House Bill No. 256, introduced by Mr. Grubbs, entitled "An act to amend section 1 of an act entitled 'an act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof and of the Auditor of State in connection therewith, and providing penalties for the violation of the provision of this act,' approved December 21, 1865, and adding supplemental sections thereto," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by inserting after the word "clerk" in line 17, on page 3, the following: "And note in the vacation entries of the order book of such court: First, The name of the company. Second, The name of the agent. Third, The date of filing such documents. And when so noted, to index the same in said order book. For which filing, noting and indexing, such

clerk shall receive from such company the sum of fifty cents ; and the entry when so made in such order book shall be conclusive evidence in any suit against such company of the facts therein noted, including the authority of the agent named, to act for such company."

And that the same be further amended by adding after the word "examined," in line 2 of section 2, on page 3, the following: "By some competent and disinterested person."

And that the same be further amended by adding after the word "more," in line 8, the following words: "Competent and disinterested."

And that said section be further amended by adding after the word "examination," in line 17, on page 4, the following: "Entries and publications as in this section provided."

And that the same be further amended by adding at the conclusion of said section the following:

7. When such examination is made, such Auditor is requested to enter his report thereof in a book to be kept by him as such Auditor for that purpose, and to cause a synopsis of said report, showing the assets and liabilities of such company, to be published in two of the leading daily newspapers in this State, and that when the same is so amended, it do pass:

The report was concurred in and the bill ordered to be engrossed as amended.

Mr. Coffman from the select committee on State Board of Health, submitted the following report:

MR. SPEAKER :

Your committee to whom was referred House Bill No. 123, to establish a State Board of Health, to provide for appointment of a superintendent of vital statistics, and to assign certain duties to local Board of Health and declaring an emergency, have had the same under consideration and would recommend the following accompanying amendments and when so amended would recommend the bill do pass.

1. Amend section 1, line 14, by striking out the word "two" and insert "three."

2. Amend section 1, line 18, by striking out the word "two" and insert "three" in lieu thereof.

3. Amend section 1, line 18, by striking out the word "elect" and insert "appoint" in lieu thereof.

4. Amend section 1, line 19, by striking out the word "six" and insert "four" in lieu thereof.

5. Amend section 6 by striking out all after the eighth line.

6. Amend section 11, following the fourth line, add "in the State building if such room can be supplied."

Mr. Grubbs moved to recommit the bill to the committee on rights and privileges, with the following instructions :

MR. SPEAKER :

I move that House Bill No. 123 be referred to the committee on rights and privileges, with instructions to consider the propriety of amending section 1 as follows: "It shall consist of seven members, who shall be physicians of skill and experience, three from the Alopahic, three from the Homeopathic, and one from Electric School of Medicine, all of whom shall be appointed by the Governor, with the advice of the Senate, and one of whom shall be Secretary, as provided in section 4 of this act."

Amend section 6 as follows: "The Secretary shall receive an annual salary of fifteen hundred dollars."

Amend section 7 by making the appropriation three thousand dollars.

Mr. Lane moved the following amendment :

MR. SPEAKER :

I move to amend the instructions so as to read, viz.: The Secretary shall receive a per diem of five dollars for the time actually spent in the service of the board.

Mr. Craft moved to lay the motion to recommit with instructions, bill and report, on the table.

Mr. Lanham demanded a division of the question.

The question being, first on the motion to lay the motion to recommit with instructions on the table,

It was agreed to.

The question then recurring on the motion to lay the bill and report on the table,

It was agreed to.

BILLS INTRODUCED.

The Speaker announced the order of business to be the call of the roll of counties for the introduction of bills, resolutions, etc.

Mr. Austin introduced House Bill No. 378. A bill exempting cemetery lots from sale on execution or other legal process.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Allen introduced House Bill No. 379. A bill authorizing allowances in aid of agricultural associations.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Chawner introduced House Bill No. 380. A bill prohibiting the killing and shipment of quails, prairie-chickens and other birds, except in certain cases therein named, providing penalties for killing or shipping the same, repealing all laws inconsistent therewith, and declaring an emergency.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Cook introduced House Bill No. 381. A bill supplemental to an act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incidental thereto, and repealing all laws conflicting with this act, and declaring an emergency, approved March 10, 1873, legalizing certain marriages, declaring their issue to be legitimate, and declaring an emergency for the immediate taking effect of this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cook introduced House Bill No. 382. A bill fixing the fees of county auditors and county treasurers for managing the school fund, and repealing all laws in conflict with this act.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 383. A bill to amend section 10 of an act entitled "An act to authorize the formation of new counties and to change county boundaries, and to repeal all laws inconsistent therewith," approved March 1, 1861, and providing for the annexation of contiguous territory, and to repeal all laws inconsistent therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 384. A bill repealing an act entitled "An act relating to expenses incurred by one county

by change of venue from another county," approved March 10, 1873, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 385. A bill to repeal "An act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies," approved May 12, 1869, and the act supplementary thereto, approved January 30, 1873, and the act as amended, approved March 17, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 386. A bill concerning the powers and duties of county sheriffs in reference to the service of warrants in State cases.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 387. A bill to authorize Judges of the Supreme Court to employ clerks, and providing salaries therefor, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Paige introduced House Bill No. 388. A bill to amend section five of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved June 15, 1852, approved March 2, 1865.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Paige introduced House Bill No. 389. A bill prescribing the jurisdiction of justices of the peace and mayors of cities over misdemeanors, and repealing all laws inconsistent herewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Paige offered the following concurrent resolution:

Resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring, That our Senators and Representatives in Congress be instructed to use their efforts to repeal the law requiring a revenue stamp of two cents on bank checks, and that His Excellency the Governor be and he is hereby requested to forward to each of our Senators and Representatives in Congress a copy of this resolution.

Which was adopted.

Mr. Benz introduced House Bill No. 390. A bill to amend section 147 of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6th, 1865.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Benz introduced House Bill No. 391. An act in relation to the appointment and compensation of county examiners.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Benz introduced House Bill No. 392. An act in relation to the pay of county treasurers.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Johnson of Dearborn introduced House Bill No. 393. A bill providing that it shall be unlawful for turnpike companies to collect and receive toll in certain cases.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Benz presented a petition of sundry citizens of Crawford and Orange counties asking the passage of a law curtailing the salaries of certain officers.

Which was referred without reading to the committee on fees and salaries.

Mr. Chawner presented a memorial of the Western Yearly Meeting of Friends on the suppression of the traffic in obscene literature.

Which was laid on the table.

Mr. Paige presented a petition from citizens of Clinton county.

Which was referred to the committee on temperance, without reading.

Pending the call of the roll of counties, at the county of Dearborn, on motion by Mr. Collins, the House adjourned.

AFTERNOON SESSION.

WEDNESDAY, February 7, 1877.

The House met with the Speaker in the chair.

The call of the roll of counties for introduction of bills, resolutions, etc., was resumed.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit :

Engrossed House Bill No. 76. A bill to abolish the Twenty-seventh Judicial Circuit and the Criminal Circuit Courts therein, and to confer jurisdiction in criminal cases upon the civil courts of Floyd and Clark counties, and to transfer all causes pending in said Criminal Circuit Courts to said Civil Circuit Courts, and declaring an emergency.

And the same is respectfully submitted to House for enrollment and the signature of the Speaker thereof.

The following report was submitted from the committee on engrossed bills :

MR. SPEAKER:

The committee on engrossed bills have compared Engrossed House Bill No. 311 with the original bill and find the same correctly engrossed.

Mr. Compton moved that the order of business be suspended, in order to take up House Bill No. 66, read it a third time and put it upon its passage.

Which was agreed to, whereupon by unanimous consent, Mr. Compton moved the following amendment:

I move to amend by striking out section 13.

Which was agreed to.

Mr. Compton introduced Engrossed House Bill No. 66. A bill regulating the working of coal mines, and declaring a lien upon the works and machinery for work and labor in mining coal, and for the royalty on coal, and providing penalty for the violation thereof, and declaring an emergency.

Which was read the third time.

The question being shall the bill pass?

On motion by Mr. Compton further consideration of the bill was postponed until bills on third reading are reached in their regular order.

Mr. Lockhart introduced House Bill No. 394. A bill to prevent procuring, or attempting to procure, abortion, prescribing penalties therefor, repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lockhart introduced House Bill No. 395. A bill fixing the time of holding court in the Twenty-fifth Judicial Circuit, and the length of terms thereof, and repealing all laws in conflict therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lockhart introduced House Bill No. 396. A bill in relation to policies of life insurance for the benefit of married and unmarried women, repealing all laws in conflict herewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Koontz introduced House Bill No. 397. A bill to amend section 8 of an act to provide for a uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved February 18, 1859.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Koontz introduced House Bill No. 398. A bill providing for appeals from the board of county commissioners in proceedings to annex territory to cities and towns against the will of the owner, and for the trial of the same in the circuit court.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thompson of Elkhart introduced House Bill No. 399. A bill supplemental to "An act providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith," approved June 4, 1861.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Fromm introduced House Bill No. 400. A bill to authorize the legal voters of each county to elect by ballot a county superintendent of common schools.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Copeland introduced House Bill No. 401. A bill to amend an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cary introduced House Bill No. 402. A bill to enable the owners of wet lands to claim and reclaim them, where the same can not be done without effecting the lands of others, creating the officer of ditch commissioner, prescribing his powers and duties in the premises, and repealing all laws inconsistent therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 403. A bill creating civil engineers, contractors, sub-contractors, and laborers' liens upon the depots, bridges, station houses, tracks, roads, road-beds, and real estate belonging to railroad companies, or corporations, in this State, and to enforce the same, and other matters properly connected therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Garver introduced House Bill No. 404. A bill to legalize the acts of the incorporation of the town of Noblesville, Hamilton, county, Indiana, and to legalize each and every official act of the several boards of trustees of said corporation, and all other acts of each and every officer of the same, under "An act for the incorporation of towns, defining their powers, providing for the election of the officers and declaring their duties," approved June 11, 1852, and all by-laws, rules, regulations and proceedings adopted in pursuance thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Garver introduced House Bill No. 405. A bill to amend section 6 of an act entitled "An act to regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors, to limit the license to be charged by cities and towns, prescribing penalties for intoxication, providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Warrum introduced House Bill No. 406. A bill to amend sections 65, 66 and 68 of an act entitled "An act providing for an election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Warrum introduced House Bill No. 407. A bill providing uniform rules for the making, collection, and assignment of promissory notes, notes payable in bank or elsewhere, inland and foreign bills of exchange, bonds, or any instrument in writing, signed by any person or persons who promise to pay money or acknowledge money to be due, or for the delivery of any specific article, or to convey property, or to perform stipulations therein mentioned, and declaring all waivers and arguments to waive, whether express or implied, of any of the rules therein stated to

be against public policy and void, prohibiting the recovery of interest and costs thereon, and repealing all laws coming in conflict therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hubbard introduced House Bill No. 408. A bill to provide for the organization and support of an asylum for the feeble minded children.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hubbard introduced House Bill No. 409. A bill in relation to the powers and duties of life, health or accident insurance companies organized under the laws of this State.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thompson of Howard introduced House Bill No. 410. A bill to enable the owners of wet lands to drain and reclaim them, when the same can not be done without affecting the lands of others, prescribing the powers and duties of trustees of townships and other officers in the premises, and to provide for the repair of such drains, and repealing all laws in conflict herewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thomson of Howard and Miami introduced House Bill No. 411. A bill legalizing the acts of the Board of Commissioners of Miami county, Indiana, incorporating the town of Ridgeview in that county.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cole introduced House Bill No. 412. A bill to legalize the incorporation of the town of Huntington, Huntington county, Indiana, as a city, and to legalize each and every official act of the Board of Trustees of said town, and the official acts of the Common Council of the city of Huntington, and all other acts of each and every officer of such town or city, whether done before or after the citizens of said town had voted in favor of incorporating as a city, or done before or after the election of officers of the city of Huntington, under the statute of the State of Indiana for the incorporation of cities, approved March 14, 1867.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Wells introduced House Bill No. 413. A bill to provide for the building of a new State prison at Seymour in the county of Jackson, and the discontinuance of the State Prison South at Jeffersonville in the county of Clark, making appropriations and for the regulation of the same.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lanham introduced House Bill No. 414. A bill for the recovery of property removed by high water, and for the repeal of an act entitled "An act for the recovery of property removed by high water," approved February 20, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lanham introduced House Bill No. 415. A bill to repeal section 22 of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Viehe introduced House Bill No. 416. A bill in reference to contracts made in this State with agents of foreign insurance companies or other corporations.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 417. A bill to authorize the organization of clubs, to establish libraries and reading rooms in the several counties of the State, and to authorize such clubs to erect and maintain gymnasiums. and such other entertainments as they think proper.

Which was read a first time and passed to a second reading on to-morrow.

RESOLUTIONS, PETITIONS, ETC.

Mr. Lockhart offered the following concurrent resolution :

WHEREAS, The traffic in alcoholic and spirituous liquors in the United States is regarded as a great evil ;

AND WHEREAS, It is believed that the direct and indirect cost growing out of said traffic is much greater than all the revenues or

profits derived therefrom by Government or her citizens; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That our Senators and Representatives in Congress be instructed, and they are hereby requested to carefully inquire into the comparative cost to, and revenues derived by the Government and her citizens from the importation, manufacture and sale of alcoholic or spirituous liquors.

And be it further resolved, That our Senators and Representatives in Congress, be and are hereby requested to inquire into the expediency of so amending the Constitution of the United States, as to forbid the importation, manufacture or sale of such alcoholic or spirituous liquors.

Resolved, That if such Senators and Representatives in Congress assembled, shall deem such proposed constitutional amendment expedient, they are hereby requested to prepare and submit such amendment to the proper legislative bodies for approval and ratification as soon as practicable.

Which was not adopted.

Mr. Koontz presented the petition of sundry citizens of the town of Portland, Jay county, Indiana, asking that certain acts of the Board of Trustees of said town be legalized.

Which was referred, without reading, to the committee on cities and towns.

Mr. Koontz also presented a remonstrance of sundry citizens of the town of Portland, Jay county, Indiana, protesting against the passage of any law to legalize certain acts of the Board of Trustees of said town of Portland.

Which was referred, without reading, to the committee on cities and towns.

Mr. Albert presented a petition of Dillon Bridges, asking back pay for services rendered in organizing the Thirteenth Regiment of Cavalry in 1864.

Which was referred, without reading, to the committee on claims.

Also, the petition of Houston B. Wagner, collector of delinquent taxes in Clark county.

Which was referred, without reading, to the committee on claims.

Mr. Thomson of Miami, presented the petition of sundry citizens of the State.

Which was referred, without reading, to the committee on temperance.

Mr. Chawner was granted leave of absence till to-morrow.

Mr. Branyan presented the remonstrance of sundry citizens of Huntington county, Indiana, protesting against certain legalizing acts.

Which was read and laid upon the table.

Mr. Lanham offered the following concurrent resolution :

Be it Resolved by the House of Representatives, the Senate concurring, That both Houses of this General Assembly meet in the hall of the House of Representatives on February 23, at 10 o'clock, A. M., for the purpose of electing one State Librarian, two Directors for the Southern Prison, three Directors for the Northern Prison, two Trustees of the Blind Asylum, one Trustee of the Insane Asylum, one Trustee of the Deaf and Dumb Asylum, one President of the Joint Board of Benevolent Institutions, and one Trustee of the Soldiers' Orphans Home.

Mr. Langdon moved that the resolution be referred to the committee on judiciary.

Upon which motion Messrs. Cole and Branyan demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Austin, Benz, Branyan, Carlton, Carson, Claypool, Coffman, Collins, Compton, Conley, Cook, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Houghton, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Langdon, Leeper, Lehman, Madden, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Welborn, Warrum and Zehring—47.

Those who voted in the negative were Messrs. Adams, Baxter, Bumgarner, Butler, Cary, Carr, Cole, Copeland, Craft, Crumpacker, Dannettell Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Highway, Harper, Hubbard, Kennedy of Rush, Kimmell, Koontz, Lane, Lanham, Little, Lockhart, Morgan, McGaughey, Peelle, Riley, Sailors, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Yaryan, Zimmerman and Mr. Speaker—42.

So the resolution was referred to the committee on judiciary.

Mr. Highway presented a petition of citizens of Kosciusko county on the subject of temperance.

Which was referred, to the committee on temperance, without reading.

Pending the call of the roll of counties at the county of Lake, on motion by Mr. Hauss, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

FEBRUARY 8, 1877.

The House met with the Speaker in the chair.

On motion by Mr. Lehman, the reading of the journal of yesterday's proceedings was dispensed with.

BILLS INTRODUCED.

The call of the roll of counties for the introduction of bills, resolutions, etc., pending at adjournment yesterday, was resumed.

Mr. Ames offered the following resolution :

WHEREAS, The State is indebted to Patrick Maguire for labor done, as evidenced by three certificates and accompanying papers filed herewith. Therefore,

Resolved, That the same be referred to the committee on ways and means, with instructions, if found correct, to incorporate the amount due in the specific appropriation bill.

Which resolution, with the accompanying papers, was referred, without reading, to the committee on ways and means.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed Senate Bill No. 110. An act to legalize the official acts of the Board of Trustees of the town of Loogootee, Martin county, Indiana.

Engrossed Senate Bill No. 141. An act to fix the time of holding courts in the Forty-first Judicial Circuit of the State of Indiana, repealing acts in force and declaring an emergency.

Engrossed Senate Bill No. 106. An act supplemental to an act entitled "An act to provide for the periodical enumeration of the white male inhabitants of this State, over the age of twenty-one years, to prescribe the duties and fix the compensation of officers in relation thereto, and also to prescribe the penalties for the violation of official duty in connection with said enumeration, as well as the manner in and the courts by which said penalties shall be enforced," approved December 21, 1865, and to provide for the enumeration of the colored male inhabitants of this State over the age of twenty-one years, and declaring an emergency.

Engrossed Senate Bill No. 107. An act providing for the protection of wild game and defining the time in which the same may be taken or killed, and also providing for the protection of certain birds therein named, and their eggs, and prescribing the penalty for violation of the same, and repealing all laws inconsistent herewith.

Engrossed Senate Bill No. 104. An act to legalize the official acts of the trustees of the town of Shoals, Martin county, Indiana.

And the same are herewith submitted to the House for its action thereon.

Mr. Henderson, for Mr. Lehman, introduced Joint Resolution No. 21.

Which was read, and on motion by Mr. Peelle, referred to a select committee of three.

The Speaker announced such select committee to be Messrs. Lehman, Harper and Girton.

Mr. Guthrie introduced House Bill No. 418. A bill to amend sections 308 and 313 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 419. A bill to amend section two of an act entitled "An act in relation to county auditors," approved May 31, 1852, and requiring auditors now in office to give additional bonds and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hosmer introduced House Bill No. 420. A bill to amend section 4 of an act entitled "An act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair, and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which such harbors may run, and to assess damages and benefits against adjoining owners," approved March 9, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 421. A bill concerning the recording of articles of association required to be filed and deposited in the office of the Secretary of State and the authentication thereof, providing compensation therefor, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives the following act for the signature of the Speaker thereof:

Enrolled Senate Act No. 142. An act declaring school lands taxable after they have been sold and before deed is made, and legalizing all assessments, levy and collection of taxes heretofore made, and prohibiting the refunding of taxes paid, declaring an emergency, and other matters connected with the subject of taxation of school lands.

And the same is herewith submitted.

Mr. Carlton, from the committee on enrolled bills, submitted the following report :

To the Speaker of the House of Representatives :

Your committee on enrolled bills respectfully report that we have compared Enrolled House Bill No. 76 with the engrossed bill, and we find the same correctly enrolled.

The Speaker announced that he had signed Enrolled House Act No. 76 ; also, Enrolled Senate Act No. 142.

Mr. Henderson introduced House Bill No. 422. A bill to amend section 60, and to repeal section 290 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes," approved December 21, 1872, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 423. A bill concerning the removal of bodies of persons buried in Out-lot No. 28, in Clarksville, Clark county, Indiana, providing for the payment of the cost of such removal, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Smith introduced House Bill No. 424. A bill to provide for the furnishing of subjects for dissection and medical examination to legally authorized medical colleges and physicians of this State, and forbidding the removal of dead bodies from graves, vaults, or any other place, without proper authority so to do, providing penalties for the violation of the same, and repealing all laws in conflict herewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Smith introduced House Bill No. 425. A bill to prevent shooting, netting, trapping, or otherwise taking or destroying quails ; also, forbidding buying, selling, shipping, or having in their possession any quail or quails for two years from and after the taking effect of this act, providing what evidence shall be sufficient in certain cases, and repealing all laws in conflict herewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 426. A bill to authorize county commissioners to unite with cities having a population of forty thousand and over at the last census, in the erection and maintenance of workhouses.

Which was read a first time and passed to a second reading on to-morrow.

The Speaker called Mr. Yaryan to the chair.

The special order set for this day and hour was taken up, being House Bill No. 185, with the majority and minority reports from the committee on ways and means thereon.

The question being on the adoption of the minority report.

Mr. Overmyer moved that the minority report be laid upon the table.

The ayes and noes were demanded by Messrs. Hauss and Thompson of Elkhart.

Those who voted in the affirmative were, Messrs. Albert, Ames, Askren, Baxter, Benz, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Freeman, Hall, Hubbard, Johnson of Dearborn, Kennedy of Rush, Koontz, Langdon, Lanham, Marsh, Morrison, Rea, Reno, Thomas, Thomson of Miami, Viehe and Mr. Speaker—30.

Those who voted in the negative were Messrs. Adams, Ashby, Austin, Branyan, Bumgarner, Butler, Cary, Carlton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Hosmer, Hulet, Johnson of Carroll, Kennedy of Union, Kimmell, Lane, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman—68.

So the minority report was not laid upon the table.

Mr. Overmyer moved that the bill and reports be recommitted to the committee on ways and means.

Which was agreed to, and the bill and report so recommitted.

The Speaker resumed the chair.

Leave of absence was granted Mr. Harper.

The call of the counties was resumed.

Mr. Adams introduced House Bill No. 427. A bill to define the crime of swindling, and to punish the same.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 428. A bill to provide for the payment of one-half of the taxes assessed and collectable in cities on the third Monday in March, and the other half on the third Monday in September of each year, for the proper delinquency, and penalties, and declaring an emergency for its immediate taking effect.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 429. A bill to amend section 13 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams presented the petition of the School Board of Indianapolis.

Which was referred, without reading, to the committee on affairs of the city of Indianapolis.

Mr. Adams presented the claims of Spiegel, Thoms & Co., and John Hedlung.

Which was referred, without reading, to the committee on claims.

Mr. Adams presented the petition of the Common Council of the city of Indianapolis and the officers of the Union Railroad Transfer and Stockyard Company, in reference to the Belt Railway.

Which was read and referred to the committee on judiciary.

Mr. Adams introduced House Bill No. 430. A bill to legalize a certain ordinance of the Common Council of the city of Indianapolis therein mentioned, designated as an ordinance No. 51, and passed October 16, 1876, as well as the acceptance thereof by "The Union Railroad Transfer and Stockyard Company," and to validate the contract embraced in said ordinance, and in the acceptance thereof.

Which was read the first time, whereupon,

Mr. Adams moved that the constitutional rule be suspended, the

bill read the second time by title and referred to the committee on judiciary.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Baxter, Benz, Branyan, Cary, Carr, Chawner, Claypool, Cole, Collins, Conly, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Foster of Monroe, Fromm, Garver, Girtton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Priest, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Austin, Bumgarner, Butler, Foster of Allen, Freeman, Hatfield, Lane, Lehman, Perigo and Stewart—10.

So the constitutional rule was suspended, the bill read the second time by title and referred to the committee on judiciary.

Leave of absence was granted Mr. Hubbard until Saturday morning.

Leave of absence was granted to the committee on benevolent institutions until Saturday morning, and to the committee on public expenditures until to-morrow morning.

Pending the call of the roll of counties, at the county of Marion, on motion by Mr. Henderson the House adjourned.

AFTERNOON SESSION,

THURSDAY, February 8, 1877.

The House met, with the Speaker in the chair.

By unanimous consent, Mr. Craft, from the committee on affairs of the city of Indianapolis, submitted the following report :

MR. SPEAKER :

The undersigned, members of the committee on the affairs of the

city of Indianapolis, to which was referred Senate Bill No. 152, entitled "An act regulating the indebtedness of cities having a population of sixteen thousand, as shown by the votes cast for Governor at the last preceding election," etc., would report, that we have had the same under consideration, and herewith return the bill and recommend that it do pass.

The report was concurred in.

The rules being further suspended,

Engrossed Senate Bill No. 152. A bill regulating the indebtedness of cities having a voting population of over sixteen thousand, as shown by the votes cast for Governor at the last preceding election, authorizing the funding of the indebtedness of such cities in bonds in certain cases, prohibiting the creation of city debt except as therein authorized, and prescribing the kind and amount that may be created, limiting the amount of taxes that may be levied by the common council and board of school commissioners respectively, prescribing penalties for certain violations of this act, and repealing all laws in conflict therewith, and declaring an emergency, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merri-man, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Sailors, Scott, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—82.

Mr. Stewart voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The call of the roll of counties for the introduction of bills, resolutions, etc.

Mr. Peelle introduced House Bill No. 431. A bill to amend

section 2 of an act entitled "An act defining certain misdemeanors, and prescribing punishment therefor," approved December 2, 1865.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 432. A bill to amend an act entitled "An act to repeal all general laws in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 433. A bill concerning tax sales in certain cases, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following acts, to-wit :

Enrolled Act No. 76, House of Representatives. An act to abolish the Twenty-seventh Judicial Circuit and Criminal Circuit Courts therein, and to confer jurisdiction in criminal cases upon the civil courts of Floyd county and Clark county and to transfer all cases pending in said criminal circuit courts to said civil circuit courts, and declaring an emergency," and the same is herewith returned to the House.

Enrolled Act No. 142, Senate. An act declaring school lands taxable after they have been sold and before deed is made, and legalizing all assessments, levy and collection of taxes heretofore made, and prohibiting the refunding of taxes paid, declaring an emergency, and other matters connected with the subject of taxation of school lands.

Mr. Carlton, from the joint committee on enrolled bills, submitted the following report :

To the Speaker of the House of Representatives :

Your joint committee on enrolled bills respectfully report that we

have presented to the Governor for his signature Enrolled House Bill No. 76, on the 8th day of February, 1877.

Also the following report :

MR. SPEAKER :

Your joint committee on enrolled bills have this day presented to the Governor for his signature Enrolled Senate Bill No. 142.

Mr. Adams introduced House Bill No. 434. A bill authorizing the establishment of a board of police commissioners in cities of the first class with a population of over forty thousand inhabitants at the last Federal census, prescribing its duties and powers, and repealing all laws and ordinances inconsistent therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Zehring introduced House Bill No. 435. A bill to amend sections 175 and 176 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Zehring introduced House Bill No. 436. A bill to exempt the wages of laborers from garnishment, and proceedings supplemental to executions in certain cases.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Zehring introduced House Bill No. 437. A bill to abolish section 6 of an act for the incorporation of hydraulic companies, defining their powers and duties, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hulet introduced House Bill No. 438. A bill amending section 4 of an act entitled "An act to provide for the election and prescribing certain duties of prosecuting and district attorneys," approved June 11, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hulet introduced House Bill No. 439. A bill defining special qualifications for persons elected to certain offices therein named.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Scott introduced House Bill No. 440 An act to amend an act entitled "An act to provide for the government and discipline of the Indiana State Prison," approved February 5, 1857, providing for the purchase of books for the use of convicts, repealing all laws in conflict herewith and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Monroe introduced House Bill No. 441. A bill providing for the concentration of land records in the office of the Auditor of State, and prescribing the duties of the Auditor of State in connection therewith, and the appointment of a clerk thereof, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Monroe introduced House Bill No. 442. A bill to fix the holding of courts in the Tenth Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, and repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Grubbs introduced House Bill No. 443. A bill for the encouragement of agriculture, by affording relief to the State Board of Agriculture, the purchase of the State Fair grounds and matters incident thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Grubbs introduced House Bill No. 444. A bill supplemental to an act entitled "An act respecting foreign corporations and their agents in this State," approved June 17, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hall, by request, introduced House Bill No. 445. A bill to amend section 40 of an act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of

such as border on the Ohio and Wabash rivers," approved June 7, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Freeman introduced House Bill No. 446. A bill to make new provisions, and to amend an act to provide for the uniform assessment of property and for the collection of taxes thereon, approved December 21, 1872, and to provide for the relief of owners of real estate encumbered by bona fide and unsatisfied mortgages, of which said owners are either the payers, or the agents of the payers, and to allow such owner of real estate to have a credit on his real estate assessment to the amount of such unpaid mortgages, and provide for the return of such mortgages for assessment, and the payment of taxes due thereon, and preventing double returns of credits, and repealing all laws, sections and provisions in conflict with the provisions of this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Freeman introduced House Bill No. 447. A bill to provide and prescribe the mode of purchasing supplies of all kinds for the use of the prisons of the State, the delivery and payment of the same.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Freeman introduced House Bill No. 448. A bill for an act to amend an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases, approved March 6, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hatfield introduced House Bill No. 449. A bill in regard to sales on executions, and in certain cases subrogating the purchase at such sales to the rights of the judgment and execution plaintiff.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hatfield introduced House Bill No. 450. A bill to amend sections 51 and 52 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their

jurisdiction, powers, and duties in civil cases," approved June 9, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Stewart introduced House Bill No. 451. A bill to amend section 1 of an act entitled "An act fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery," and declaring an emergency.

Which was read a first time and passed to a second reading on to morrow.

Mr. Welborn introduced House Bill No. 452. A bill to amend section 33 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," and adding supplemental sections thereto, approved March 8, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Rush introduced House Bill No. 453. A bill to create the Forty-third Judicial Circuit, to amend sections 9 and 47 of an act entitled "An act to divide the State in circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of court in the Eighth and Forty-third circuits and for the election of a judge and prosecuting attorney in the Forty-third judicial circuit, and repealing all laws inconsistent therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Rush introduced House Bill No. 454. A bill to enable farmers and citizens of any county in the State of Indiana to form voluntary associations for the purpose of insuring their property against losses by fire, and all other matters connected therewith, and enable them to sue and be sued by their corporate name.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Girton introduced House Bill No. 455. A bill to amend section 25 of an act entitled "An act fixing the fees, salaries, duties and compensations of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.

Which was read a first time and passed for a second reading on to-morrow.

Mr. Leeper introduced House Bill No. 456. A bill to amend section 10 of an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859.

Which was read the first time and passed for a second reading on to-morrow.

Mr. Girton introduced House Bill No. 457. A bill for the relief of Myer Myers, George F. McGaughey and Robert H. Hudgons.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Leeper introduced House Bill No. 458. A bill to amend section 61 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Leeper introduced House Bill No. 459. A bill relative to notaries public, regulating the protest of commercial paper, and legalizing certain notarial certificates.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Langdon introduced House Bill No. 460. A bill for the appropriation of moneys for the use and benefit of Purdue University.

Which was read a first time and passed to a second reading on to-morrow.

RESOLUTIONS, PETITIONS, ETC.

Mr. Adams presented the petition of citizens of the State on the subject of temperance.

Which was referred, without reading, to the committee on temperance.

Mr. Yaryan presented a remonstrance of citizens of Vanderburgh county, Indiana, remonstrating against the abolishment of the Criminal Circuit Court of said county.

Which was referred, without reading, to the committee on judiciary.

Mr. Hulet presented a petition on the same subject.

Which was referred, without reading, to the committee on temperance.

Mr. Foster of Monroe presented a remonstrance of sundry citizens of Bloomington township, Monroe county, Indiana, against the passage of House Bill No. 326.

Which was referred, without reading, to the committee on county and township business.

Mr. Foster of Monroe presented the petition of citizens of the second ward of the city of Bloomington, Indiana, on the subject of temperance.

Which was referred, without reading, to the committee on temperance.

Mr. Grubbs presented the claim of W. R. Harrison and Solomon Claypool for legal services rendered to the State.

Which was referred to the committee on claims, without reading.

Mr. Hall presented the petition of J. A. Tibbey and two hundred and twenty five other citizens of Newton county, Indiana, on the subject of temperance.

Which was referred, without reading, to the committee on temperance.

Mr. Freeman introduced the following Joint Resolution: A joint resolution instructing our Senators and regulating our Representatives in Congress to use all proper means, and to examine and report an act of Congress to aid American ship building, so that the carrying trade of the United States will be increased and the receipts for freight and passengers from and to our shores become our income

to American enterprise and add to our shipment of our agricultural and manufacturing products, and add to our national resources and other matters.

Which was read and referred to the committee on federal relations.

Mr. Thomas offered the following resolution :

Resolved, That a committee of five be appointed to visit and inspect the grounds and buildings known as the Exposition Grounds, belonging to the State Board of Agriculture, situated in Indianapolis, Indiana, and report to this House the condition of the property and its probable cash value.

Which was adopted.

Mr. Thomas offered the following resolution :

WHEREAS, The law is not specific as to the pay of the Janitor and Sweeper of the House of Representatives; therefore be it

Resolved, That the Speaker of this House be, and he is hereby authorized to draw warrants for such Janitor and Sweeper at the rate of five dollars per day for the time such employes have actually been and may be employed.

The resolution was not adopted.

Mr. Moorman introduced the following resolution :

WHEREAS, There is now no law by which township trustees can build or construct school houses other than graded school houses on township or county lines; therefore,

Resolved, That the committee on education be respectfully requested to give the subject their careful consideration, and report the result of their deliberations to this House by bill or otherwise.

Which was read and referred to the committee on education.

Mr. Kennedy of Rush presented the claim of Leonidas Sexton against the State for services, etc.

Which was referred without reading to the committee on claims.

Mr. Kennedy of Rush, moved to take House Bill No. 46 from the table and recommit it to the committee on rights and privileges, with the following instructions: That any person being the owner, or having in charge any domestic animal, and allowing the same to run at large, contrary to the provisions of an act entitled "An act, approved May 31, 1852, in relation to domestic animals running at large, shall be deemed guilty of a misdemeanor, and on conviction

thereof, shall be fined in any sum not exceeding five dollars, for every such offense; and it shall be the duty of the prosecuting attorney to bring action to enforce the provisions of this act, and shall be entitled to the same fees as for like services in similar cases. Suit may be brought before any justice of the peace, or other proper tribunals having proper jurisdiction in the county where such animal may be found.

Which was agreed to, and the bill was taken from the table and so referred.

Mr. Leeper offered the following resolution, which was adopted:

Resolved, That the committee on ways and means be and are hereby instructed to inquire into the expediency of amending section 12 of the act of December 21, 1872, in relation to the assessment, collection and return of taxes (1 D., 72), so as to repeal the provision in the fourth subdivision of said section whereby "the capital stock of all companies and associations now or hereafter erected under the laws of this State, shall be so valued by the State Board of Equalization as to ascertain and determine respecting the fair cash value of such capital stock, including the franchise, over and above the assessed value of tangible property of such company, or association," and to report the result of such inquiry to this House by bill or otherwise.

Pending the call of the roll of counties, at the county of Tippecanoe, on motion by Mr. Foster of Allen, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

FEBRUARY 9, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Mr. Swayzee.

On motion by Mr. Peelle, the reading of the journal of yesterday's proceedings was dispensed with.

BILLS INTRODUCED.

The call of the roll of counties for bills, resolutions, etc., was resumed, whereupon

Mr. Langdon introduced House Bill No. 461. A bill to amend section 136 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Which was read the first time and passed to a second reading on to-morrow.

Mr. Langdon introduced House Bill No. 462. A bill to provide for funding moneys belonging to Purdue University, and conferring upon the trustees of said University in relation to the collection of all moneys coming to said University.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 463. A bill concerning the organization of voluntary associations, defining their rights, powers and obligations, and legalizing the organization of voluntary associations heretofore formed, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Priest introduced House Bill No. 464. A bill amending an act entitled "An act requiring county auditors to publish a statement of all allowances made by the county commissioners," approved May 9, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Dannettell introduced House Bill No. 465. A bill to authorize and encourage the enclosure of land subject to overflow, by incorporated associations, and providing for the organization of such associations, and prescribing their powers, and providing for the assessment and apportionment of the cost of such improvements, and expenses attending the same, upon the lands improved and used for purposes of cultivation enclosed thereby; and for the collection and return of such assessments, and prescribing the penalties

for breaking or throwing down such fences, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 466. A bill to legalize the organization and proceedings of gymnastic associations properly authorized under the law of 1865, after the repeal of said law in 1867.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 467. A bill to amend section 681 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1832.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 468. A bill to amend section 32 of "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton, by request, introduced House Bill No. 469. A bill making the township trustee of each civil township superintendent of roads and highways in his township, and fixing a commutation road tax in lieu of road labor, and repealing all laws conflicting with this act.

Which was read a first time.

Mr. Carlton moved that the constitutional rule be suspended, the bill read a second time by title and referred to the committee on roads.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton,

Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Haughton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker.—87.

Those who voted in the negative were Messrs. Crumpacker and Stewart—2.

So the constitutional rule was suspended, the bill read the second time by title, and referred to the committee on roads.

Mr. Sailors introduced House Bill No. 470. A bill to amend section 16 of an act entitled "An act to provide for the government and discipline of the State Prison, and to repeal 'an act to provide for the government and discipline of the State Prison,' approved March 3, 1855, and all other laws or parts of laws inconsistent herewith, prohibiting the use of the 'cat', in the punishment of prisoners, and declaring an emergency."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo introduced House Bill No. 471. A bill to amend sections 1 and 3 of an act entitled "An act to provide for the relocation of county seats, and for the erection of public buildings in counties in case of such relocation," approved February 24, 1869.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo introduced House Bill No. 472. A bill for an act to amend sections 235 and 236 of an act entitled "An act to provide for a uniform assessment of property, and for the return and collection of taxes thereon," approved December 21, 1872, and supplementary to said act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Perigo introduced House Bill No. 473. A bill to amend section 51 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers

thereof, and declaring their duties," approved June 11, 1852, repealing all laws in conflict herewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Allen introduced House Bill No. 474. A bill to amend an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 475. A bill to amend section 307 of an act entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, and to repeal sections 308, 309, 310, 313 and 314 of the above entitled act, and declaring an emergency."

Which was read the first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 476. A bill to fix the compensation, and provide for the payment of the officers and employes of the Senate and House of Representatives of the General Assembly.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 477. A bill to amend section 1 of an act entitled "An act to amend sections 4 and 6 of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any company which may have been incorporated in this State for any of the purposes contemplated in said act, with a fixed amount or limitation of capital, may increase the same by a vote of its stockholders in the same manner as is provided in said section for increasing capital

stock, and providing for election of directors and certain officers, and prescribing the manner of casting the votes in such election," approved March 11, 1861, and to legalize the acts of such companies that have divided their capital stock into shares of not more than one hundred dollars each.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 478. A bill to provide for the removal of the State Prison South from Jeffersonville, and the location of the same at or near Bedford, appointing three commissioners to select a site for said Prison, and to superintend the erection of buildings for the same, and making an appropriation to pay for the same.

Which was read a first time and passed to a second reading on to-morrow.

RESOLUTIONS, PETITIONS, ETC.

Mr. Langdon offered the following resolution, which was adopted :

Resolved, That the Clerk collect and cause to be printed without delay, all motions and resolutions, reports, inclusive of the Morgan Raid Commissions, and the disposition made thereof, together with such parts of any messages, appearing in the journals of either House relating to the Morgan Raid claims and that three hundred copies to be printed, and two hundred copies to be deposited with the Librarian and one hundred to be distributed among the members of this House.

The question being upon the adoption of the resolution.

The ayes and noes were demanded by Messrs. Lanham and Freeman.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Compton, Cook, Cooley, Craft, Crum-packer, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Henderson, Harper, Hosmer, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Morrison, McGaughey, Oglebay, Paige, Pelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Swayzee, Thomas, Thomson of Miami, Viehe, Wells, Yaryan, Zehring and Mr. Speaker—65.

Those who voted in the negative were Messrs. Ashby, Austin, Conley, Copeland, Davis, Foster of Allen, Fromm, Hatfield, Hauss, Highway, Hulet, Madden, Merriman, Moorman, McCarty, Priest, Stewart, Thompson of Elkhart, Thompson of Howard, Whitehead, Warrum and Zimmerman—22.

So the resolution was adopted.

Mr. Oglebay offered the following resolution, which was read and adopted :

WHEREAS, Believing that the interest of the State will be better guarded by having the matter of the erection of all public buildings referred to one and the same committee ; therefore, be it

Resolved, That so much of the report of the Directors of the Southern Prison as recommends the erection of a new work shop be referred to the committee on public buildings.

Mr. Dannettell presented the petition of inhabitants of Evansville, Indiana, on the subject of temperance.

Which was referred, without reading, to the committee on temperance.

Leave of absence was granted to Mr. Hatfield until to-morrow.

Under the resolution of Mr. Thomas, adopted yesterday, for the appointment of a committee to visit and examine the State Fair Grounds, Exposition Building, etc., the Speaker announced the appointment of the following committee, viz: Messrs. Thomas, Leeper, Welborn, Thompson of Howard and Rea.

Mr. Sailors presented the petition of inhabitants of Wabash county, Indiana, on the subject of temperance.

Which was referred, without reading, to the committee on temperance.

Mr. Perigo presented the petition of land owners of Warrick county, Indiana, asking the enactment of a herd or stock law.

Which was referred, without reading, to the committee on rights and privileges.

Mr. Yaryan presented the petition of citizens of Wayne county, Indiana, asking certain amendments to the road laws.

Which was referred, without reading, to the committee on roads.

By unanimous consent, Mr. Langdon offered the following resolution, which was adopted :

WHEREAS, In a letter to the State Superintendent of Public Instruction, dated the 17th day of December, 1875, and found in

said Superintendent's report for 1876, page 77, the Hon. B. C. Shaw, Treasurer of State, says that there was due from the State's indebtedness to the common school revenue, for tuition, the sum of one hundred and fifty thousand dollars; therefore, be it

Resolved, That the committee on education be, and the same are hereby instructed to inquire into the matter, and to report to the House by bill or otherwise.

Mr. Lanham, from the committee on engrossed bills, submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills have carefully compared Engrossed House Bills Nos. 184 and 273, with the original bills, and have directed me to report them to be correctly engrossed.

Mr. Carlton, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills have examined Enrolled Senate Bill No. 152, and find the same correctly enrolled.

The call of the roll of counties being finished the House proceeded to the consideration of business on the Speaker's table.

MESSAGES FROM THE SENATE.

Senate Concurrent Resolution, in reference to the erection of a new State House, and heretofore spread upon the journal, was taken up, the resolution read and adopted and the Principal Clerk directed to inform the Senate thereof.

Senate Concurrent Resolution, in reference to the cost of a new State House, and heretofore spread upon the journal of the House, was taken up, the resolution read and adopted and the Principal Clerk directed to inform the Senate thereof.

SENATE BILLS ON FIRST READING.

Engrossed Senate Bill No. 71. An act to give the consent of the State of Indiana to the acquirement by the United States, by purchase or condemnation, of lands within this State required for the improvement of the Ohio and Wabash rivers, and to cede jurisdiction over the same.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 104. An act to legalize the official acts of the Board of Trustees of the town of Shoals, Martin county, Indiana.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 106. An act supplemental to an act entitled "An act to provide for the periodical enumeration of the white male inhabitants of this State over the age of twenty-one years, to prescribe the duties and fix the compensations of officers in relation thereto, and also to prescribe the penalties for the violation of official duty in connection with the said enumeration, as well as the manner in and the courts by which said penalties shall be enforced," approved December 21, 1865, and to provide for the enumeration of the colored male inhabitants of this State, over the age of twenty-one years, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 107. An act providing for the protection of wild game, and defining the time in which the same may be taken or killed, and also providing for the protection of certain birds therein named, and their eggs, and prescribing the penalty for the violation of the same, and repealing all laws inconsistent herewith.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 110. An act to legalize the official acts of the Board of Trustees of the town of Loogootee, Martin county, Indiana.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 141. An act to fix the time of holding the courts in the Forty-first Judicial Circuit of the State of Indiana, repealing acts in force and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

HOUSE BILLS ON THIRD READING.

Engrossed House Bill No. 16. A bill to provide suitable books for record of the acts of courts of justice of the peace.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Cole, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulett, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—80.

Those who voted in the negative were Messrs. Kennedy of Union—1.

So the bill passed, and the Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe moved the following amendment to the title of House Bill No. 16, which was adopted:

I move to amend the title of the bill to read as follows: "An act to provide record books for justices of the peace."

Which amendment was agreed to.

Engrossed House Bill No. 66, heretofore read the third time, came up in its order.

By unanimous consent, Mr. Compton offered the following amendment:

I move to amend by striking out the words "slope or drift" in section 1.

And by striking out the word "five" where the same occurs in section 4, and in lieu thereof insert the word "two."

And by striking out the words "an approved safety catch," where the same occurs in section 7.

Which amendment was adopted.

The question then being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman Morrison, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Rea, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—86.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 53. A bill authorizing the appointment of students to Purdue University by the board of commissioners of each county, and to provide for the admittance of such scholars, and defining their privileges therein, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Howard, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker.—77.

Those who voted in the negative were Messrs. Askren, Freeman, Hosmer, Johnson of Dearborn, Leeper, Priest, Rea, Reno and Warrum—9.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Pending House bills on third reading, on motion by Mr. Austin, the House adjourned.

AFTERNOON SESSION,

FRIDAY, February 9, 1877.

The House met, with the Speaker in the chair.

By consent, the papers in the claim of Melissa Cooper were withdrawn.

HOUSE BILLS ON THIRD READING.

Engrossed House Bill No. 113. A bill defining the power of county commissioners, limiting them in certain cases, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Houghton, Hauss, Henderson, Highway, Harper, Hulet, Johnson of Carroll, Kennedy of Union, Koontz, Langdon, Lanham, Lehman, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Ogleby, Paige, Peelle, Priest, Rea, Riley, Sailors, Scott, Stewart, Swayzee, Thomas, Thompson of Howrdd, Viehe, Welborn, Whitehead, Wells, Warrum, Zehring and Mr. Speaker—69.

Those who voted in the negative were Messrs. Girton, Gossman, Johnson of Dearborn, Spencer, Thompson of Elkhart and Zimmerman—6.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 127. A bill to amend an act entitled "An act to prevent carrying concealed or dangerous weapons and to provide punishment therefor," approved February 23, 1859, and repealing all former laws.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Hauss, Highway, Harper, Hosmer, Hulett, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker.—81.

Mr. Paige voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe moved the following amendment to the title of House Bill No. 127, which was adopted:

“I move to amend the title of this bill by striking out the following words: ‘And repealing all former laws.’”

Which amendment was adopted.

Engrossed House Bill No. 103, heretofore read a third time, was taken up in its order:

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Baxter, Benz, Branyan, Bumgarner, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, Oglebay, Peelle, Perigo, Reno, Riley, Sailors, Scott, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Zehring and Mr. Speaker—66.

Those who voted in the negative were Messrs. Austin, Butler, Cary, Freeman, Girton, Gossman, Grubbs, Johnson of Dearborn,

Kimmell, Lehman, Paige, Priest, Rea, Spencer, Stewart, Viehe, Welborn, Whitehead, Warrum and Zimmerman--20.

So the bill passed, and the Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 328. A bill legalizing the election of officers of the town of Kentland.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—83.

Those who voted in the negative were Messrs. Elwell, Johnson of Dearborn, Priest and Riley—4.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 38. A bill to amend sections 132 and 374 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell,

Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—87.

No member voting in the negative.

So the bill passed, and the Principal Clerk was directed to inform the Senate thereof.

The following message was received from the Senate by its Principal Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives the following enrolled act for the signature of the Speaker thereof:

Enrolled Senate Act No. 76. An act regulating the indebtedness of cities having a voting population of over sixteen thousand, as shown by the votes cast for Governor at the last preceding election, authorizing the funding of the indebtedness of such cities in bonds in certain cases, prohibiting the creation of city debt except as therein authorized, and prescribing the kind and amount that may be created, limiting the amount of taxes that may be created, limiting the amount of taxes that may be levied by the common council and board of school commissioners respectively, prescribing penalties for certain violations of this act, and repealing all laws in conflict therewith, and declaring an emergency.

And the same is herewith submitted.

On motion by Mr. Moorman the order of business was suspended, and House Bill No. 238, with the report from the committee on temperance thereon, was taken from the table.

The report was concurred in and the bill ordered to be engrossed.

Leave of absence was granted to Mr. Leeper until Tuesday morning.

Engrossed House Bill No. 149. A bill to amend section 4 of an

an act entitled "An act providing for voluntary assignments of personal and real property, in trust for the benefit of creditors, and regulating the mode of administering the same," approved March 5, 1859, and to amend section 10 of the same act as amended by an act entitled "An act amendatory and supplemental to the above entitled act," approved February 1, 1875, and as amended by an act entitled "An act to amend section 10 of the above entitled act," approved February 26, 1875, and supplemental thereto.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—84.

No member voting in the negative.

So the bill passed and the Principal Clerk was directed to inform the Senate thereof.

Mr. Baxter, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills direct me to report that they have compared House Bills Nos. 335 and 89, and Joint Resolution No. 15 with the originals, and find that they have been correctly engrossed.

Mr. Johnson of Carroll, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bills Nos. 28, 98, 245 and 264, and desire to report that they are correctly engrossed.

Engrossed House Bill No. 80. A bill defining the powers and duties of prosecuting attorneys in State prosecutions and other matters properly connected therewith.

Which was read a third time.

Mr. Johnson of Carroll moved the previous question.

Which was seconded by the House and the main question ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Baxter, Branyan, Butler, Cary, Carr, Carson, Claypool, Cole, Craft, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Houghton, Harper, Hulet, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Little, Lockhart, Moorman, McCarty, McGaughey, Oglebay, Priest, Sailors, Scott, Thomas, Thompson of Howard, Wells, Warrum and Mr. Speaker—37.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Askren, Austin, Benz, Bumgarner, Carlton, Coffman, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Foster of Allen, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Hauss, Henderson, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kimmell, Lehman, Madden, Merriman, Morrison, Paige, Perigo, Rea, Riley, Spencer, Stewart, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Whitehead, Yaryan, Zehring and Zimmerman—49.

So the bill failed to pass.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following act, to-wit :

Enrolled Act No. 152, Senate of Indiana. An act regulating the indebtedness of cities having a voting population of over sixteen thousand, as shown by the votes cast for Governor at the last preceding election, authorizing the funding of the indebtedness of such cities in bonds in certain cases, prohibiting the creation of city debt, except as therein authorized, and prescribing the kind and amount that may be created, limiting the amount of taxes that may be levied by the common council and board of school commissioners respectively, prescribing penalties for certain violations of this act, and repealing all laws in conflict therewith and declaring an emergency.

Engrossed House Bill No. 181. A bill to confirm and legalize the corporate name and organization of the Rose Polytechnic Institute.

Was read a third time.

The question being, shall the bill pass?

Those who voted in affirmative were Messrs. Adams, Albert, Askren, Ashby, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Houghton, Hauss, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—84.

No member voting in the negative.

So the bill passed, and the Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 254. A bill authorizing justices of the peace to require additional replevin bail in cases where insufficient bail has been taken and where the replevin bail has become insufficient to secure the payment of the judgment.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Houghton, Hauss, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson

of Howard, Thomson of Miami, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—83.

No member voting in the negative.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Engrossed House Bill No. 106. A bill to amend section 4 of an act entitled "An act in relation to the organization of the two Houses of the General Assembly, prescribing the number of officers and employes of each House, and regulating their duties," approved December 23, 1872, Acts 1872-73, page 33, and declaring an emergency.

Which was read the third time and laid upon the table.

Engrossed House Bill No. 48. A bill to regulate the sale of mineral oils and other substances for illuminating purposes and providing a penalty for violations of the provisions thereof.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Compton, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Girton, Gossman, Grubbs, Guthrie, Hall, Houghton, Hauss, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Lanham, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Perigo, Priest, Reno, Sailors, Scott, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker.—74.

Those who voted in the negative were Messrs. Cook, Fromm, Garver, Kennedy of Rush, Koontz, Lehman, Paige, Rea, Riley, Spencer and Yaryan—11.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Carlton, from the joint committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills have this day presented to the Governor Enrolled Senate Bill No. 152, for his signature.

Mr. Foster of Allen moved that the vote by which House Bill No. 53 was passed this morning be reconsidered.

Mr. Langdon moved to lay the motion to reconsider upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Foster of Allen and Albert.

Those who voted in the affirmative were Messrs. Adams, Baxter, Branyan, Carson, Claypool, Coffman, Compton, Craft, Crumpacker, Endsley, Foster of Monroe, Grubbs, Hall, Houghton, Johnson of Carroll, Langdon, Little, Lockhart, McGaughey, Oglebay, Perigo, Scott, Spencer, Stewart, Thomas, Welborn, Wells, Zehring and Mr. Speaker—29.

Those who voted in the negative were Messrs. Albert, Ashby, Asken, Austin, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Cole, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Elwell, Foster of Allen, Freeman, Garver, Girton, Gossman, Guthrie, Hauss, Highway, Harper, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Lehman, Madden, Merriman, Moorman, Morrison, McCarty, Paige, Priest, Reno, Rea, Riley, Sailors, Swayzee, Thompson of Elkhart, Thompson of Howard, Whitehead, Warrum, Yaryan and Zimmerman—55.

So the motion to lay the motion to reconsider upon the table did not prevail.

Mr. Lehman moved that the House adjourn.

Which was not agreed to.

Leave of absence was granted Messrs. McCarty, Guthrie, Koontz, Hall and Butler, until Tuesday. To Mr. Baxter until Wednesday, and to the committee on public buildings until Monday.

Mr. Hauss moved the previous question which was seconded by the House, and the main question ordered. The question being the motion to reconsider, the ayes and noes were demanded by Messrs. Hauss and Branyan.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Carr, Cook, Copeland, Craft, Crumpacker, Davis, Elwell, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Highway, Harper, Hosmer, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Lehman, Madden, Merriman, Moorman, Morrison, McCarty, Paige, Priest, Rea, Reno, Riley, Sailors, Scott, Swayzee,

Thomas, Thompson of Elkhart, Welborn, Whitehead, Warrum and Zimmerman—48.

Those who voted in the negative were Messrs. Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Claypool, Coffman, Compton, Cole, Conley, Cooley, Dannettell, Endsley, Foster of Monroe, Grubbs, Guthrie, Hall, Houghton, Hauss, Hulet, Johnson of Carroll, Langdon, Little, Lockhart, McGaughey, Oglebay, Peelle, Perigo, Stewart, Thompson of Howard, Wells, Zehring and Mr. Speaker—35.

So the motion to reconsider prevailed.

Pending consideration of bills on third reading, on motion by Mr. Kennedy of Rush, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING,

FEBRUARY 10, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. J. R. Mitchell, of the Fifth Presbyterian Church.

On motion by Mr. Foster of Allen the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Viehe entered a motion to reconsider the vote on House Bill No. 80.

By unanimous consent the order of business was suspended, and House bills on second reading taken up.

HOUSE BILLS ON SECOND READING.

House Bill No. 373, introduced by Mr. Warrum, was read a second time and referred to the committee on agriculture.

House Bill No. 375, introduced by Mr. Warrum, was read a second time and referred to the committee on judiciary.

House Bill No. 377, introduced by the committee on railroads,

was read a second time and referred to the committee on railroads.

House Bill No. 378, introduced by Mr. Austin, was read a second time and referred to the committee on cities and towns.

House Bill No. 379, introduced by Mr. Foster of Allen, was read a second time and referred to the committee on agriculture.

House Bill No. 380, introduced by Mr. Chawner, was read a second time and referred to the committee on rights and privileges.

House Bill No. 381, introduced by Mr. Cook, was read a second time and referred to the committee on judiciary.

House Bill No. 382, introduced by Mr. Cook, was read a second time and referred to the committee on fees and salaries.

House Bill No. 383, introduced by Mr. Compton, was read a second time and referred to the committee on judiciary.

House Bill No. 384, introduced by Mr. Compton, was read a second time and referred to the committee on judiciary.

House Bill No. 385, introduced by Mr. Compton, was read a second time and referred to the committee on railroads.

House Bill No. 386, introduced by Mr. Compton, was read a second time and referred to the committee on judiciary.

House Bill No. 387, introduced by Mr. Compton, was read a second time and referred to the committee on organization of courts.

House Bill No. 388, introduced by Mr. Paige, was read a second time and referred to the committee on agriculture.

House Bill No. 389, introduced by Mr. Paige, was read a second time and referred to the committee on judiciary.

House Bill No. 390, introduced by Mr. Benz, was read a second time and referred to the committee on education.

House Bill No. 391, introduced by Mr. Benz, was read a second time and referred to the committee on education.

House Bill No. 392, introduced by Mr. Benz, was read a second time and referred to the committee on fees and salaries.

House Bill No. 393, introduced by Mr. Johnson of Dearborn, was read a second time and referred to the committee on roads.

House Bill No. 394, introduced by Mr. Lockhart, was read a

second time and referred to the committee on rights and privileges, together with a substitute therefor, offered by Mr. Grubbs.

House Bill No. 395, introduced by Mr. Lockhart, was read a second time and referred to the committee on organization of courts.

House Bill No. 396, introduced by Mr. Lockhart, was read a second time and referred to the committee on insurance.

House Bill No. 397, introduced by Mr. Koontz, was read a second time and referred to the committee on county and township business.

House Bill No. 398, introduced by Mr. Koontz, was read a second time and referred to the committee on cities and towns.

House Bill No. 399, introduced by Mr. Thompson of Elkhart, was read a second time and referred to the committee on judiciary.

House Bill No. 400, introduced by Mr. Fromm, was read a second time and referred to the committee on education.

House Bill No. 401, introduced by Mr. Copeland, was read a second time and referred to the committee on judiciary.

House Bill No. 402, introduced by Mr. Cary, was read a second time and referred to the committee on drains and dykes.

House Bill No. 403, introduced by Mr. Baxter, was read a second time and referred to the committee on railroads.

House Bill No. 404, introduced by Mr. Garver, was read a second time and referred to the committee on cities and towns.

House Bill No. 405, introduced by Mr. Peelle, was read a second time and referred to the committee on cities and towns.

House Bill No. 406, introduced by Mr. Warrum, was read a second time and referred to the committee on county and township business.

House Bill No. 407, introduced by Mr. Warrum, was read a second time and referred to the committee on rights and privileges.

House Bill No. 408, introduced by Mr. Hubbard, was read a second time and referred to a special committee of five.

House Bill No. 409, introduced by Mr. Hubbard, was read a second time and referred to the committee on insurance.

The Speaker announced that he had appointed as the select

committee on House Bill No. 408 Messrs. Hubbard, Adams, Collins, Mathews and Lanham.

House Bill No. 410, introduced by Mr. Thompson of Howard, was read a second time and referred to the committee on drains and dykes.

House Bill No. 411, introduced by Mr. Thomson of Miami, was read a second time and referred to the committee on cities and towns.

House Bill No. 412, introduced by Mr. Cole, was read a second time and referred to the committee on cities and towns.

House Bill No. 413, introduced by Mr. Wells, was read a second time and referred to the committee on prisons.

House Bill No. 414, introduced by Mr. Lanham, was read a second time and referred to the committee on judiciary.

House Bill No. 415, introduced by Mr. Lanham, was read a second time and referred to the committee on elections.

House Bill No. 416, introduced by Mr. Viehe, was read a second time and referred to the committee on judiciary.

House Bill No. 417, introduced by Mr. Ames, was read a second time and referred to the committee on judiciary.

House Bill No. 418, introduced by Mr. Guthrie, was read a second time and referred to the committee on organization of courts.

House Bill No. 419, introduced by Mr. Henderson was read a second time and referred to the committee on county and township business.

House Bill No. 420, introduced by Mr. Hosmer, was read a second time and referred to the committee on corporations.

House Bill No. 421, introduced by Mr. Henderson, was read a second time and referred to the committee on corporations.

House Bill No. 422, introduced by Mr. Henderson, was read a second time and referred to the committee on county and township business.

House Bill No. 423, introduced by Mr. Henderson, was read a second time and referred to the committee on prisons.

House Bill No. 424, introduced by Mr. Smith, was read a second time and referred to the committee on rights and privileges.

House Bill No. 425, introduced by Mr. Smith, was read a second time and referred to the committee on rights and privileges.

House Bill No. 426, introduced by Mr. Adams, was read a second time and referred to the committee on cities and towns.

House Bill No. 427, introduced by Mr. Adams, was read a second time and referred to the committee on judiciary.

House Bill No. 428, introduced by Mr. Adams, was read a second time and referred to the committee on cities and town.

House Bill No. 429, introduced by Mr. Adams, was read a second time and referred to the committee on organization of courts.

House Bill No. 431, introduced by Mr. Peelle, was read a second time and referred to the committee on judiciary.

House Bill No. 432, introduced by Mr. Craft, was read a second time and referred to the committee on cities and towns.

House Bill No. 433, introduced by Mr. Craft, was read a second time and referred to the committee on judiciary.

House Bill No. 434, introduced by Mr. Adams, was read a second time, and referred to the committee on the affairs of the city Indianapolis.

House Bill No. 435, introduced by Mr. Zehring, was read a second time, and referred to the committee on judiciary.

House Bill No. 436, introduced by Mr. Zehring, was read a second time, and referred to the committee on judiciary.

House Bill No. 437, introduced by Mr. Zehring, was read a second time, and referred to the committee on corporations.

House Bill No. 438, introduced by Mr. Hulet, was read a second time, and referred to the committee on fees and salaries.

House Bill No. 439, introduced by Mr. Hulet, was read a second time, and referred to the committee on elections.

House Bill No. 440, introduced by Mr. Scott, was read a second time and referred to the committee on prisons.

House Bill No. 441, introduced by Mr. Foster of Monroe, was read a second time and referred to the committee on rights and privileges.

House Bill No. 442, introduced by Mr. Foster of Monroe, was

read a second time and referred to the committee on organization of courts.

House Bill Fo. 443, introduced by Mr. Grubbs, was read a second time and referred to the committee on agriculture.

House Bill No. 444, introduced by Mr. Grubbs, was read a second time and referred to the committee on corporations.

House Bill No. 445, introduced by Mr. Hall, was read a second time and referred to the committee on county and township business.

House Bill No. 446, introduced by Mr. Freeman, was read a second time and referred to the committee on ways and means.

House Bill No. 447, introduced by Mr. Freeman, was read a second time and referred to the committee on ways and means.

House Bill No. 448, introduced by Mr. Freeman, was read a second time and referred to the committee on organization of courts.

House Bill No. 449, introduced by Mr. Hatfield, was read a second time and referred to the committee on judiciary.

House Bill No. 450, introduced by Mr. Hatfield, was read a second time and referred to the committee on organization of courts.

House Bill No. 451, introduced by Mr. Stewart, was read a second time and referred to the committee on fees and salaries.

House Bill No. 452, introduced by Mr. Welborn, was read a second time and referred to the committee on education.

House Bill No. 453, introduced by Mr. Kennedy of Rush, was read a second time and referred to the committee on organization of courts.

House Bill No. 454, introduced by Mr. Kennedy of Rush, was read a second time and referred to the committee on insurance.

House Bill No. 455, introduced by Mr. Girton, was read a second time and referred to the committee on fees and salaries.

House Bill No. 456, introduced by Mr. Leeper, was read a second time and referred to the committee on county and township business.

House Bill No. 457, introduced by Mr. Girton, was read a second time and referred to the committee on claims.

House Bill No. 458, introduced by Mr. Leeper, was read a second time and referred to the committee on cities and towns.

House Bill No. 459, introduced by Mr. Leeper, was read a second time and referred to the committee on judiciary.

House Bill No. 460, introduced by Mr. Langdon, was read a second time and referred to the committee on education.

House Bill No. 461, introduced by Mr. Langdon, was read a second time and referred to the committee on judiciary.

House Bill No. 462, introduced by Mr. Langdon, was read a second time and referred to the committee on education.

House Bill No. 463, introduced by Mr. Oglebay, was read a second time and referred to the committee on corporations.

House Bill No. 464, introduced by Mr. Priest, was read a second time and referred to the committee on county and township business.

House Bill No. 465, introduced by Mr. Dannettell, was read a second time and referred to the committee on county and township business.

House Bill No. 466, introduced by Mr. Carlton, was read a second time and referred to the committee on judiciary.

House Bill No. 467, introduced by Mr. Carlton, was read a second time and referred to the committee on judiciary.

House Bill No. 468, introduced by Mr. Carlton, was read a second time and referred to the committee on fees and salaries.

House Bill No. 470, introduced by Mr. Sailors, was read a second time and referred to the committee on prisons.

House Bill No. 471, introduced by Mr. Perigo, was read a second time and referred to the committee on county and township business.

House Bill No. 472, introduced by Mr. Perigo, was read a second time and referred to the committee on county and township business.

House Bill No. 473, introduced by Mr. Perigo, was read a second time and referred to the committee on cities and towns.

House Bill No. 474, introduced by Mr. Foster of Allen, was read a second time and referred to the committee on education.

House Bill No. 475, introduced by Mr. Yaryan, was read a second time and referred to the committee on organization of courts.

House Bill No. 476, introduced by Mr. Yaryan, was read a second time and referred to the committee on fees and salaries.

House Bill No. 477, introduced by Mr. Yaryan, was read a second time and referred to the committee on corporations.

House Bill No. 478, introduced by Mr. Yaryan, was read a second time and referred to the committee on prisons.

Leave of absence was granted Messrs. Cooley, Reno and Whitehead until Tuesday, and Mr. Dannettell until Monday.

The regular order of business being House bills on third reading, was resumed.

Engrossed House Bill No. 241 was taken up and laid upon the table without reading.

Engrossed House Bill No. 214. A bill to amend section 6 of an act entitled "An act to create the Forty-first Judicial Circuit, to amend sections 34 and 39 of an act entitled 'An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases,'" approved March 6, 1873, and also to provide for holding terms of court in the Thirty-third, Thirty-eighth and Forty-first circuits, and repealing all laws inconsistent therewith, approved March 9, 1875.

Which was read a third time.

By unanimous consent, Mr. Grubbs offered the following amendment to the bill:

Amend by striking out all after the words "section of," in line 3 of section 1, to and including "March 9, 1875," in line 8, page 2, of said section, and inserting the words "the above entitled act."

Which amendment was adopted by the House.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley,

Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Lehman, Lanham, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—83.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Leave of absence was granted Mr. Copeland until Monday.

Mr. Foster of Allen moved that when the House adjourns it shall be until Monday at 2 P. M.

Mr. Yaryan moved to amend by making the hour half past nine A. M.

Which was not agreed to.

Mr. Foster's motion was agreed to.

Engrossed House Bill No. 89. A bill to amend an act entitled "An act to amend section 16 of an act entitled 'an act concerning real property and the alienation thereof,'" approved March 11, 1875.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Claypool Compton, Conley, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Houghton, Henderson, Highway, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Langdon, Lehman, Little, Lockhart, Madden, Moorman, Morgan, McGaughey, Peelle, Sailors, Smith, Spencer, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Yaryan, Zehring and Mr. Speaker—50.

Those who voted in the negative were Messrs. Austin, Collins, Cook, Crumpacker, Davis, Foster of Allen, Grubbs, Hauss, Harper, Hosmer, Kimmell, Lane, Lanham, Marsh, Mathews, Merriman, Morrison, Oglebay, Paige, Perigo, Priest, Rea, Riley, Scott,

Stewart, Thomas, Whitehead, Wells, Warrum and Zimmerman—30.

So the bill failed for want of a constitutional majority.

Engrossed House Bill No. 220. A bill to repeal sections 4 and 5 of an act entitled "An act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1859.

Was read a third time and laid upon the table.

Engrossed House Bill No. 362. A bill to amend section 79 of an act entitled "An act providing for the election and qualification of justices of the peace and defining their jurisdiction, powers and duties in civil cases."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Austin, Benz, Branyan, Cary, Carlton, Chawner, Claypool, Coffman, Cole, Compton, Cook, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Houghton, Henderson, Harper, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Lane, Lanham, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McGaughey, Paige, Peelle, Riley, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Viehe, Whitehead, Yaryan, Zehring and Mr. Speaker—55.

Those who voted in the negative were Messrs. Askren, Carson, Collins, Conley, Davis, Garver, Girton, Gossman, Hauss, Highway, Hosmer, Kimmell, Langdon, Morgan, Oglebay, Perigo, Priest, Rea, Sailors, Stewart, Thompson of Elkhart, Welborn, Wells, Warrum and Zimmerman—25.

So the bill passed, and the Principal Clerk of the House was directed to inform the Senate thereof.

Mr. Viehe moved the following amendment to the title of House Bill No. 362:

I move to amend the title of this bill by adding thereto the following: "And to prescribe certain duties of constables."

Which amendment was adopted.

Engrossed House Bill No. 186. A bill to amend section 249 of an act entitled "An act to revise, simplify and abridge the rules,

practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Austin, Branyan, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Lane, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewatr, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—73.

Those who voted in the negative were Messrs. Benz, Endsley, Highway and Priest—4.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Leave of absence was granted to Mr. Kennedy of Union until Monday at 2 o'clock P. M.

Engrossed House Bill No. 261. A bill to amend section 38 of an act entitled, "An act regulating general elections and prescribing the duties of officers in relation thereto," approved, and declaring an emergency.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Austin, Benz, Branyan, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Craft, Crumpacker, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Lane, Langdon, Lanham, Lehman, Little, Lockhart, Madden,

Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—78.

Mr. Garver voting in the negative.

So the bill passed and the Principal Clerk was directed to inform the Senate thereof.

The Speaker called Mr. Grubbs to the chair.

Leave of absence was granted Messrs. Fromm, Viehe, Houghton, Girtton and Ames until next Tuesday, and to Mr. Garver indefinitely.

On motion by Mr. Viehe, further consideration of bills on third reading was postponed until Tuesday morning.

On motion by Mr. Gossman, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY AFTERNOON,

FEBRUARY 12, 1877.

The House met at 2 o'clock, pursuant to adjournment, with the Speaker in the chair.

On motion by Mr. Branyan, the reading of the journal of Saturday's proceedings was dispensed with.

SENATE BILLS ON SECOND READING.

Engrossed Senate Bill No. 107, was read a second time and referred to the committee on rights and privileges.

Engrossed Senate Bill No. 100, was read a second time and referred to the committee on cities and towns.

Engrossed Senate Bill No. 71, was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 106, was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 104, was read a second time and referred to the committee on cities and towns.

Engrossed Senate Bill No. 141, was read a second time and referred to the committee on organization of courts.

The Speaker announced reports from committees to be in order.

Mr. Lanham, from the committee on elections, submitted the following report:

MR. SPEAKER:

Your committee on elections, to which was referred House Bill No. 248, entitled "A bill fixing a time for electing a State Librarian, the Directors of the Prisons North and South, Trustees of the Deaf and Dumb, Insane and Blind Asylums; also, of the Soldiers' Orphans' Home, and a President of the Joint Board of Trustees of the Benevolent Institutions," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

The following message was received from His Excellency Governor Williams, by his Private Secretary, Mr. Downey.

To the Honorable, the Speaker of the House of Representatives:

The Governor has the honor to respectfully inform the House of Representatives that he has approved and signed House Enrolled Bill numbered and entitled as follows: No. 76. An act to abolish the Twenty-seventh Judicial Circuit and the Criminal Circuit Courts therein, and to confer jurisdiction in criminal cases upon the Civil Courts of Floyd county and Clark county, and to transfer all causes pending in said Criminal Circuit Courts to said Civil Circuit Courts, and declaring an emergency," approved February 8, 1877.

And that he has caused said act to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, February 12, 1877.

Mr. Yaryan, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means, to which was referred House Bill No. 302, have had the same under consideration, and direct me to report that this bill proposes to change the tax law so as to make the penalty of delinquency ten per cent. per annum of interest instead of ten per cent. damages, and to give treasurers two and a half per centum and constable's collection fees for collecting delinquent taxes instead of simply five per centum, as at present, believing that both changes would be impolitic. Your committee recommend that the bill do lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Yaryan, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means, to whom was referred House Bill No. 349, have had the same under consideration, and direct me to report that this is a bill providing that if the installment of taxes is paid in April a rebate of five per centum thereon shall be allowed.

A majority of your committee hold that all the tax is due in April ; that permission to pay one-half in November is a concession to tax-payers for the benefit of those in depressed circumstances, and that the payment of a rebate would require an addition to the taxes which would fall on those least able to bear it.

They therefore recommend that the bill lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Yaryan, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means, to whom was referred House Bill No. 193, have had the same under consideration, and directed me to report that the bill proposes to repeal a section of the tax law which provides for the disposal of lands which have been delinquent for seven years, and makes no other provision on the subject. Your committee do therefore recommend that it do lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Warrum, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means to whom was referred House Bill No. 305, introduced by Mr. Hubbard, and fixing a uniform time for making reports by all State and county officers, except County Auditors, would report that they have considered the same, and hereby return said bill back to the House with the recommendation that it lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Warrum, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means to whom was referred House Bill No. 216, have had the same under consideration, and have directed me to report that this is a bill to amend section 53 of the assessment law, and your committee having reported in favor of a bill to repeal this section, do not deem it necessary to amend it. They therefore recommend that the bill do lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Morgan, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means to which was referred House Bill No. 319, have had the same under consideration, and direct me to report: This bill proposes to divide the ownership of mortgaged property, for purposes of taxation, between the mortgagor and the mortgagee, and to tax their respective interests separately. Your committee believe that such a rule would prove impracticable, and would only result in large loss of revenue, and therefore recommend that the bill do lie upon the table.

The report of the committee was concurred in, and the bill laid upon the table.

Mr. Adams, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means, to whom was referred House Bills Nos. 188 and 189, have had them under consideration, and direct me to report: That these bills propose to reduce the rate of

interest which may be lawfully contracted for, and which judgments shall bear, from ten to eight per cent. Your committee understand the House to have voted against any change in the present rate, and therefore recommend that these bills do lie on the table.

Mr. Warrum submitted the following minority report :

MR. SPEAKER :

The undersigned, a minority of your committee on ways and means, to which was referred House Bills Nos. 188 and 189, which bills propose to reduce the rate of interest which may be lawfully contracted for, and which judgments shall bear, from ten to eight per cent. per year, dissenting from the views of the majority of the committee, begs leave to submit this report. These bills do not propose all that is desirable, but they are a step in the right direction, and ought not to be disposed of in this uncereemonious manner. I do not consider the vote heretofore taken in the House as a finality, and respectfully urge a more deliberate consideration. No evil under which the people are groaning is so immediate and so obvious as the enormous interest they are forced to pay on their debts. This is eating the life out of them and rapidly transferring the property of our citizens into the hands of non-resident money-lenders. No legitimate business can afford to pay over six per cent., and no law of the State ought to enforce the collection of more. The trade in money is not free, and can not be made so. The capital of the country is accumulated by monied corporations, and these having neither bodies to be kicked, nor souls to be damned, are entirely without conscience, and must be regulated by law. These corporations, insurance companies, banks, and others, fix the rates of interest, because individual money-lenders can not compete with them in the open market. If not restrained by law, these monied powers know no restraint, and if not checked in their course, they will as certainly absorb all the wealth of the country, and reduce the people to hewers of wood and drawers of water, as Pharaoh did, when he took all the land of Egypt in the years of famine.

I trust these bills will not be laid on the table, but will be maturely considered. I hope they will be amended to reduce all legal rates of interest to six per cent. and then pass this House.

Respectfully submitted.

Mr. Albert moved the previous question.

Which was seconded by the House and the main question ordered, being upon the adoption of the minority report.

The ayes and noes were demanded by Messrs. Warrum and Riley.

Those who voted in the affirmative were Messrs. Ashby, Askren, Benz, Branyan, Carlton, Claypool, Compton, Cook, Davis, Endsley, Foster of Allen, Gossman, Hatfield, Hauss, Henderson, Harper, Johnson of Carroll, Johnson of Dearborn, Kimmell, Little, Madden, Marsh, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Scott, Thomas, Thompson of Howard, Wells, Warrum, Yaryan, Zehring and Zimmerman—37.

Those who voted in the negative were Messrs. Adams, Albert, Ames Austin, Bumgarner, Cary, Carr, Carson, Cole, Collins, Craft, Crumpacker, Dannettell, Foster of Allen, Freeman, Grubbs, Harris, Highway, Hosmer, Hubbard, Kennedy of Rush, Kennedy of Union, Koontz, Lane, Lanham, Lehman, Lockhart, Merriman, Moorman, Morgan, Morrison, McGaughey, Sailors, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thomson of Miami, Welborn and Mr. Speaker—40.

So the minority report was not adopted.

The question now recurring upon the adoption of the majority report.

Mr. Morgan moved that it be laid upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Morgan and Craft.

Those who voted in the affirmative were Messrs. Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Carlton, Carson, Claypool, Cook, Davis, Endsley, Foster of Allen, Freeman, Gossman, Harris, Hatfield, Hauss, Henderson, Harper, Johnson of Carroll, Johnson of Dearborn, Kimmell, Little, Madden, Marsh, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Riley, Sailors, Scott, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Warrum, Yaryan and Zimmerman—45.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Cary, Carr, Cole, Collins, Compton, Craft, Crumpacker, Dannettell, Foster of Monroe, Grubbs, Highway, Hosmer, Hubbard, Kennedy of Rush, Kennedy of Union, Koontz, Lane, Lanham, Lehman, Lockhart, Merriman, Moorman, Rea, Spencer, Swayzee, Thomson of Miami, Welborn and Mr. Speaker—31.

So the majority report was laid upon the table.

The question being, shall the bill be ordered engrossed?

Mr. Kennedy of Rush demanded a division of the question.

The question being upon the engrossment of House Bill No. 188.

The ayes and noes were demanded by Messrs. Craft and Wells.

Those who voted in the affirmative were Messrs. Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Carlton, Carson, Claypool, Collins, Compton, Cook, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Gossman, Harris, Hatfield, Hauss, Henderson, Harper, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Lanham, Little, Lockhart, Madden, Marsh, Morgan, McGaughey, Oglebay, Perigo, Priest, Rea, Riley, Scott, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Wells, Warrum, Zehring and Zimmerman.—48.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Cary, Carr, Cole, Craft, Crumpacker, Dannettell, Grubbs Highway, Hosmer, Hubbard, Kennedy of Union, Koontz, Lane, Lehman, Merriman, Moorman, Morrison, Paige, Peelle, Sailors, Spencer, Swayzee, Thompson of Elkhart, Welborn, Yaryan and Mr. Speaker.—29.

So the bill was ordered to be engrossed.

Mr. Carson moved that House Bill No. 189 be laid upon the table.

Which was agreed to, and the bill laid upon the table.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to which was referred House Bill No. 314, introduced by Mr. Peelle, entitled "A bill to amend sections 1, 11 and 12 of an act entitled 'An act to exempt property from sale in certain cases,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to which was referred Senate Bill No. 36, introduced by Mr. Fowler, entitled "A bill to authorize the signing and filing of bills of exception beyond the term in criminal prosecution," have had the same under consideration, and directed me to report the same back to the House with the following

recommendation : That the same shall be amended by striking out the word "an" in line 22 of section 1; that the same, when so amended, do pass.

Which report was concurred in.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 334, entitled "An act to enlarge the legal capacity of married women whose husbands are insane," etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to which was referred House Bill No. 282, entitled "An act removing the disability whereby husband and wife are prohibited from testifying for or in behalf of each other," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 309, introduced by Mr. Henderson, entitled "An act concerning the release of sureties upon retailers' bonds," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by striking out the words "from any cause" in lines 3 and 4 of section 1, on first page.

And that the same be further amended by striking out the words "notice of his or their intentions," to apply in lines 3, 4 and 5 on page 2, and inserting in lieu thereof the word "request."

And that the same be further amended by striking out the word

“notice” in line 5, on page 2, and insert in lieu thereof the word “request.”

And that the same be further amended by striking out the word “notice” in line 5, on page 2, and insert in lieu thereof the word “request.”

And that the same be further amended by striking out of section 1, after the word “commissioners.”

And that the same be further amended by striking out the word “notice” in line 1, on page 3, and insert in lieu thereof the word “request.”

And they further recommend that the same, when so amended, do pass.

Which report was concurred in, and the bill as amended, ordered to be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 280, entitled “A bill to provide for the protection of the estates of minors, requiring guardians to execute mortgages as additional security, providing for the sale and disposition of the real estate mortgages, and defining certain duties of county recorder and other officers,” have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 141, entitled “An act to amend section 8 of an act entitled ‘an act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act,’ have had the same under consideration, and have directed me to report it back to the House, with the recommendation that it be laid upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Carlton from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 147, by Mr. Peelle, entitled, "An act to amend section 20 of an act entitled, 'an act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act,' " approved March 10, 1873, have had the said bill under consideration and have directed me to report it back to the House with the following amendment :

Strike out from section 1, all of the lines from 5 to 23, both inclusive, and insert in lieu thereof the following :

Provided, however, That in cases where the husband being defendant, has had notice only by publication in a newspaper, and does not appear to the action, the court shall make such order as may be just and reasonable, to be enforced only as a proceeding in rem, against the property and choses in action of the defendant within this State, as an allowance to the wife and minor children of the parties for their support, education and maintainance ; said property and choses in action to be described in the petition, and also in the decree and order of the court, and such order shall be a lien on such real estate, situate in the county where such decree is rendered, and any such real or personal property or choses in action, or so much as may be necessary, situate in this State, shall be sold as property is sold on execution, to satisfy such allowance upon a copy of such decree, duly certified by the clerk of the proper court with the seal of the court annexed. Said sale to be without relief from valuation or appraisement laws, and with the recommendation that when so amended, it do pass.

The report of the committee was concurred in, and the bill ordered to be engrossed as amended.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 352, by Mr. Dannettell, entitled "An act authorizing the appointment of short-hand reporters for certain courts of record in this State, and prescribing their duties and compensation of such reporters," have had said bill under consideration, and have directed

me to report the same back to the House with the following amendments :

Strike out after the enacting clause of section 1, all from line 9 to and including line 33, and insert the following : "That section 1 of the above entitled act be amended to read as follows."

Also, strike out from lines 35 and 36 the words "in the several counties of this State."

And they recommend that said bill, when so amended, do pass.

The report was concurred in, and the bill ordered to be engrossed as amended.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 182, entitled "An act to require railroads to appoint an agent in each county in this State through which the same may run, on whom service of process may be made," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie on the table.

Mr. Yaryan moved that the bill be recommitted to the committee on judiciary.

Which was agreed to, and the bill so recommitted.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to which was referred House Bill No. 268, entitled "An act making the unlocking or breaking and entering into cars belonging to, or in possession of, a railroad company, with intent to feloniously steal, take and carry away any of the personal goods in such cars, a felony, and fixing the penalty," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do pass.

The report was concurred in, and the bill ordered to be engrossed.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 365, introduced by Mr. Carr, entitled "An act to amend section 17 of an act entitled 'An act defining felonies, and prescribing

punishment therefor," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended:

1. By striking out the words "or persons," in line 1 of section 17.

2. Amend section 17 further by inserting the word "bank" after the words "mansion house" in line 3 of said section, and the words "or any building whatever" after the word "boat" in line 5 of section 1.

3. And that said section 17 be further amended by striking out the word "or," occurring in line 5 of said section.

4. And that said section 17 be further amended by striking out the words "or any person who shall in the night time break or injure the walls or foundation of any such mansion house, store house, manufactory, office, shop, out house or boat, with intent to commit a felony," after the word "felony" in line 5 of said section.

And that they recommend that the same when so amended do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Carlton, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 274, introduced by Mr. Carlton, entitled "An act concerning the powers of sheriffs, and authorizing them to serve State warrants in certain cases in any of the counties in the State," have had the same under consideration, and have directed me to report the same back to the House with the following recommendations:

That the same be amended by striking out the words "or persons" in line 4, section 1.

And that the same be further amended by striking out the words "murder or other" in lines 4 and 5, section 1.

And they further recommend that when the same is so amended, it do pass.

The report was concurred in, and the bill ordered to be engrossed as amended.

Mr. Carlton from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 229, entitled "A bill for an act to amend section 22 of an act entitled 'an act regulating the granting of divorces,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

The report was concurred in, and the bill ordered to be engrossed.

Mr. Carlton from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred House Bill No. 215 entitled, "An act to amend section 468 of an act entitled, 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases,'" have had the same under consideration, and have directed me to report the same back to the House with the the following recommendations:

That the same be amended by striking out the words "shall endorse the same on the execution" in the first section of said bill.

And they further recommend that said bill when so amended, do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Marsh from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred House Bill No. 370, introduced by Mr. Viehe, entitled, "A bill for an act to amend the first section of an act," approved February 25, 1865, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Marsh, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 266, entitled "An act to amend section 1 of an act entitled 'an act to exempt property from execution in certain cases,' " have had the same under consideration, and have directed me to report the same back with the recommendation that it be amended by striking out the word "three" in line 3 of section 1, and inserting the word "five" in lieu thereof; and they further recommend that the same, when so amended, do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Marsh, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 339, in relation to surviving partners, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by striking out all of said bill after the enacting clause, and inserting in lieu thereof the following :

That section 3 of the above entitled act be and the same is hereby amended to read as follows :

"It shall be the duty of said surviving partner or partners, immediately upon the filing of said schedule of appraisement to file with the Clerk of the Circuit Court, his or their affidavit, that the schedule filed by said appraisers contains a full, true and complete list of all property, rights, credits, moneys and effects belonging to said firm, and at the same time shall file a full, true and complete list of all liabilities of said firm at the time of the death of said deceased partner, to which said list of liabilities of said surviving partner or partners shall also be appended, his or their affidavits to the correctness thereof, and shall also file a verified list of all payments by him or them made on the same since the death of said partner, and before proceeding further in the settlement of said partnership business, he or she shall file with the Clerk of said court, subject to his approval, a bond of resident freehold security in double the amount of the appraised values of such partnership assets, and payable without relief from valuation or appraisement laws; and he or they

shall at the end of one year from the death of said partner, or sooner if practicable, make a full report to the Circuit Court of his doings in relation to said partnership, which shall be verified by affidavit, and shall fully settle and close up such partnership business within said time, unless upon the filing of said report, for good cause shown, the court may grant further time."

Section —. In all cases of surviving partnership, now in process of settlement, the surviving partner or partners having the same in charge shall, within three months after the taking effect of this act, make to the proper circuit court a full and verified report of his or their doing in the matter of said partnership, and unless the same be fully settled and closed up at such time, he or they shall be required by the court to enter into a bond, as provided for in the first section of this act.

And your committee further recommend that when so amended, said bill do pass.

Which report was concurred in and the bill as amended, ordered to be engrossed.

Mr. Peelle, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts, to whom was referred House Bill No. 346, introduced by Mr. Langdon, entitled "An act to fix the time for holding courts in the county of Tippecanoe," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Peelle, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts, to whom was referred House Bill No. 345, introduced by Mr. Langdon, entitled "An act to fix the time for holding the terms of the Circuit Court in the Twenty-third Judicial Circuit, composed of the county of Tippecanoe," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Peelle, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred a petition presented from the justices of the peace of Wayne county, introduced by Mr. Yaryan, asking the Legislature to enact a law authorizing the county commissioners to furnish each justice of the peace with dockets, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the said petition has been improperly referred, and that the same should be referred to the House committee on fees and salaries.

Which report was concurred in, and the petition referred to the committee on fees and salaries.

Mr. Peelle, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred House Bill No. 134, introduced by Mr. Garver, entitled "A bill to provide for the number of justices of the peace," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Yaryan from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts to whom was referred House Bill No. 303, introduced by Mr. Warrum, entitled, "An act defining and limiting the jurisdiction of grand jurors," have had the same under consideration, and have directed me to report report the same back to the House with the recommendation that do lie upon the table.

Which report was concurred in and the bill laid on the table.

Mr. Collins, from the committee on organization of courts, submitted the following report :

MR. SPEAKER:

Your committee on organization of courts, to which was referred House Bill No. 304, entitled, "An act for the organization of county courts," have had the same under consideration, and direct me to report the same back to the House with the recommendation that it do lie on the table.

Which report was concurred in, and the bill laid upon the table.

Leave of absence was granted until to-morrow to Messrs. Mathews, Smith and Copeland, and to Mr. Elwell until Wednesday.

Pending the call of committees for reports, at the committee on organization of courts, on motion by Mr. Albert, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

TUESDAY MORNING,

FEBRUARY 13, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. Charles H. Raymond, of the Seventh Presbyterian Church.

On motion by Mr. Peelle, the reading of the journal of yesterday's proceedings was dispensed with.

Indefinite leave of absence was granted Mr. Benz.

Reports from committees pending at adjournment yesterday afternoon, was resumed.

By unanimous consent, Mr. Yaryan presented a petition of E. T. Cox, J. H. Smart and J. M. Ridenour, for an allowance on account of Centennial Exhibition expenses.

Which was referred to the committee on claims.

By unanimous consent, Mr. Yaryan presented a petition of citizens of Lawrence county in relation to removing the Southern Prison from the city of Jeffersonville to some other point.

Which was referred to the committee on prisons.

Mr. Compton, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 161, introduced by Mr. Freeman, entitled "A bill to establish county courts," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

The question being on concurring in the report.

Mr. Freeman made the following motion :

I move to recommit with instructions to amend :

1. By striking out all that refers to county boards.
2. By reducing the salary to \$500 per annum.
3. By providing for a fee bill lower than the fees of County Clerk in probate cases.
4. By giving said court jurisdiction in civil cases to the same amount that justices of the peace have.

Which, on motion by Mr. Thompson of Elkhart, was laid upon the table.

The question recurring on concurring in the report of the committee.

It was concurred in and the bill laid upon the table.

Mr. Bumgarner, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to which was referred House Bill No. 156, entitled "An act to amend section 2 of an act entitled 'an act to amend an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters connected therewith, and prescribing the fees of certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed,' approved March 6, 1865, and adding supplemental sections thereto," approved March 8, 1873, have had said bill under consideration, and have directed me

to report the same back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Mathews, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to which was referred House Bill No. 166, entitled "An act to amend section 2 of an act entitled 'an act to amend an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws, inconsistent therewith, and providing penalties therein prescribed,' approved March 6, 1865, and adding supplemental sections thereto," approved March 8, 1873, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

The question being on concurring in the report :

Mr. Viehe made the following motion :

I move to recommit the bill, with instructions to amend so as to omit the provision authorizing county commissioners to appoint superintendents.

Mr. Branyan moved to lay the motion to recommit with instructions upon the table.

Which was not agreed to.

The motion to recommit was then agreed to.

Mr. Chawner from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to whom was referred Resolution No. 3, by Mr. Swayzee, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the resolution indefinitely postponed.

Mr. Chawner from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to whom was referred House Bill No. 108, by Mr. Kennedy, entitled, "An act providing a township library for the township of Orange in the county of Rush," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Johnson of Carroll from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to whom was referred Senate Bill No. 19, an act entitled "An act to amend the 8th section of an act to amend an act entitled, 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties,'" approved March 6, 1865, approved March 8, 1873, desire to report that they have examined the same and recommend that the bill be amended so as to read as follows :

1. Amend section 1, line 48, to read ; "but no text-book hereafter adopted by."

2. Amend section 1, line 53, by adding the following : "*Provided*, That any text-book heretofore adopted by county boards of education, shall not be changed within three years from the date of its adoption."

And when so amended, we recommend that the bill do pass.

Mr. Leeper moved that the report be laid on the table, and that 100 copies of the bill and amendments be printed.

Which was agreed to.

Mr. Mathews from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to whom was referred House Bill

No. 287, by Mr. Gossman, entitled, "An act requesting and authorizing the Treasurer of State to transmit certain moneys to the common school fund," have had the same under consideration, and have directed me to report it back to the House with the following amendment :

Strike out all after the enacting clause, and insert the following, to-wit : That the Treasurer of State is hereby directed to transfer \$5,000 from the fund of unclaimed estates to the common school fund, and that when so amended, to recommend its passage.

Which report was concurred in and the bill as amended ordered to be engrossed.

Mr. Johnson of Carroll, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to which was referred House Bill No. 286, by Mr. Gossman, entitled "An act relating to common schools, providing for the selection of teachers, distributing the school fund, the manner of determining what branches shall be taught in common schools, and defining who shall be a legal voter in such school district, and repealing all laws in conflict with the provisions of this act," have had said bill under consideration and have directed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Oglebay, from the committee on prisons, submitted the following report :

MR. SPEAKER :

Your committee on prisons to whom was referred House Bill No. 440, have had the same under consideration, and after a careful consideration of the same, have directed me to report the same back to the House with the recommendation that it pass.

Which report was concurred in, and the bill ordered to be engrossed.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bills and resolutions, to-wit :

Engrossed House Bill No. 55. An act to cure defective sheriffs' sales where advertisements thereof have been made as provided by an act approved March 11, 1875, entitled "An act to amend section 467 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,'" and the same is herewith submitted to the House of Representatives for enrollment and the signature of the Speaker thereof.

Senate Joint Resolution No. 16. A joint resolution instructing our Senators and requesting our Representatives in Congress to endeavor to obtain from Congress an appropriation for the improvement of the navigation of White river, and the same is herewith submitted to the House for its action thereon.

Also, Senate Concurrent Resolution, to-wit:

WHEREAS, There is in the counties of St. Joseph, Laporte, Stark, Porter, Jasper, Lake and Newton, nearly one million acres of lands now nearly worthless by reason of the overflow of Kankakee river, and which cannot be drained without the consent, good will and co-operation of the adjoining State of Illinois; therefore,

Be it resolved, the House concurring, That the Governor of this State be requested to correspond with the Governor of Illinois touching the subject of this resolution with a view of devising means and measures to accomplish the much needed improvement to the State.

Also, the following concurrent resolution, to-wit:

WHEREAS, There were filed before the body known as the Morgan Raid Commission a large number of claims by certain citizens of the State, which claims were, upon the expiration of the duties of said Commission, delivered with the vouchers and other papers to the Executive of the State;

AND WHEREAS, A number of the owners of said claims are desirous of withdrawing said claims from the office of said Executive in order to prosecute the collection of the same in the department of the United States government; therefore be it

Resolved by the Senate, the House of Representatives concurring, That the Governor of the State of Indiana is hereby authorized to deliver any claims on deposit in his office among the papers and

files of the Morgan Raid Commission to the owners thereof, whenever the said owners in person or by attorney request the same, said owners to leave on file a certified copy of any claim so withdrawn.

And the same are respectfully submitted to the House for its concurrence therein.

Mr. Oglebay, from the committee on prisons, submitted the following report :

MR. SPEAKER:

Your committee on prisons to whom was referred House Joint Resolution No. 8, concerning the annexation of certain territory to Michigan City, and also the petition of the citizens of Michigan City on the same, report that they have had the same under consideration, and after careful examination of the same, do recommend that they lie on the table.

Mr. Sailors, from the same committee, submitted the following minority report :

MR. SPEAKER:

The undersigned a minority of your committee on "affairs of the prisons," to which was referred House Joint Resolution No. 8, being a resolution concerning the annexation of the ground belonging to the State of Indiana on which is situated the Northern State Prison to the city of Michigan City, would respectfully submit that, as the parties affected by the proposed annexation enjoy all the benefits of that municipal government, that the city has incurred heavy expenses in establishing facilities by which said parties are directly benefited; that the city has erected a school building at an expense of some fifty thousand dollars, which these parties use in common with the citizens of the city; that these parties enjoy the protection of the city government; that a great proportion of the present indebtedness of the city is by reason of the improvements enjoyed by these parties to as great an extent as any of the citizens of the city; that the city is deprived of police jurisdiction of the grounds in its midst and surrounded by its corporate limits, to the detriment of good government; and that without this annexation is granted, the grounds could, and if the present contractors, who are above such an act, were to give place to others less honorable, would be used on which to store personal property, in order to avoid municipal taxation. Taking these facts into consideration, that these parties derive all the benefits arising from this municipal government, without bearing their share of its burdens in common with the large

number of respectable citizens of that city—this minority would most respectfully report a recommendation that the resolution do pass.

Mr. Lehman moved the previous question, which was seconded by the House, and the main question ordered, being the adoption of the minority report.

The ayes and noes were demanded by Messrs. Taylor and Scott.

Those who voted in the affirmative were Messrs. Ames, Ashby, Austin, Bumgarner, Carson, Claypool, Coffman, Cole, Collins, Compton, Conley, Copeland, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Gossman, Guthrie, Hall, Hatfield, Hauss, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Koontz, Langdon, Madden, McCarty, Paige, Perigo, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Yaryan, Zehring and Mr. Speaker—54.

Those who voted in the negative were Messrs. Adams, Albert, Askren, Branyan, Cary, Carlton, Chawner, Cook, Cooley, Craft, Girtton, Grubbs, Harris, Houghton, Henderson, Highway, Johnson of Dearborn, Kimmell, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Peelle, Scott, Spencer, Thompson of Elkhart, Thompson of Miami and Zimmerman—38.

So the minority report was adopted, and the majority report was laid upon the table.

Mr. Carlton moved to recommit to the committee on judiciary with the following instructions:

Resolved, That the joint resolution be recommitted to the judiciary committee with instructions to inquire into the former legislation on the subject, and as to whether a joint resolution is competent in such case to accomplish the object proposed.

Mr. Compton moved that the motion to recommit be laid upon the table.

Which was agreed to by the House.

The question then being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Austin, Bumgarner, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Conley, Copeland, Crumpacker, Dannettell, Davis, Foster of Allen, Foster of Monroe, Freeman, Fromm, Gossman, Guthrie, Hall, Hatfield, Hauss, Harper, Hosmer, Hubbard, Hulet,

Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon Madden, Moorman, McCarty, Paige, Perigo, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Welborn, Wells, Whitehead, Warum, Yaryan, Zehring and Mr. Speaker.—57.

Those who voted in the negative were Messrs. Adams, Albert, Askren, Branyan, Cary, Carlton, Chawner, Cook, Cooley, Craft, Girton, Grubbs, Harris, Houghton, Henderson, Highway, Johnson of Dearborn, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Morgan, Morrison, McGaughey, Oglebay, Peelle, Scott, Spencer, Thompson of Elkhart, Thomson of Miami and Zimmerman—36.

So the joint resolution passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Wells, from the committee on military affairs, submitted the following report :

MR. SPEAKER :

Your committee on military affairs, to which was referred House Concurrent Resolution No. 6, having had the same under consideration, recommend that it do lie on the table. And your committee further report, that having had the joint resolution offered by Mr. Oglebay, or a substitute, under consideration, after a careful examination of the same, do unanimously recommend that it pass.

Which report was concurred in by the House, and the concurrent resolution therein referred to was laid upon the table, and the question recurring upon the joint resolution therein referred to, being House Joint Resolution No. 23, entitled "A joint resolution to restore the names of John H. Kilgore, George W. Johnson and Owen Johnson, members of Company A, 4th Regiment Indiana Veteran Volunteer Infantry to their original places upon the rolls of the army."

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Conley, Cook, Cooley, Copeland, Craft, Crumacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Kennedy, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews,

Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Whitehead, Wells, Warrum, Zehring and Mr. Speaker.—78.

Those who voted in the negative were Messrs. Austin, Branyan, Bumgarner, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Marsh, Rea, Viehe, Yaryan and Zimmerman—12.

So the joint resolution passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Collins, from the committee on fees and salaries, submitted the following report:

MR. SPEAKER:

Your committee on fees and salaries to whom was referred House Bill No. 178, introduced by Mr. Kennedy of Union, have had the same under consideration, and herewith report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Collins, from the committee on fees and salaries, submitted the following report:

MR. SPEAKER:

Your committee on fees and salaries to whom was referred House Bill 91, requiring county auditors to make out road lists and assessors' books, introduced by Mr. Henderson, would respectfully report that they have had the same under consideration, and have directed me to report said bill back to the House with the following amendment:

Amend section 3 so that it will read as follows: "Section 3. The Auditor for making said books shall receive no compensation and the county board is hereby prohibited from making him any allowance therefor."

And when thus amended, your committee do recommend the passage of said bill.

Which report was concurred in, and the bill as amended, ordered to be engrossed.

Mr. Collins, from the committee on fees and salaries, submitted the following report:

MR. SPEAKER:

Your committee on fees and salaries, to which was referred House

Bill No. 262, on the subject of fees of justices of the peace, have had the same under consideration, and have directed me to report said bill back to the House with the following amendments:

Amend section 1 so that it will read as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 24 of the above entitled act be amended to read as follows, to-wit:

SEC. 24. The fees of justices of the peace shall be as follows, to-wit:

For each summons or capias.....	\$ 40
For any examination on a criminal information, on oath	50
For swearing each witness.....	05
For every warrant in a criminal cause.....	40
For every trial on complaint of unlawful seizure or detention of lands or tenements.....	1 50
For issuing every attachment for contempt.....	25
For taking acknowledgment.....	25
For certifying description of a boat adrift, or an estray.....	35
For warrant of certificate of appraisement.....	25
For taking and certifying depositions.....	25
and for each one hundred words therein.....	10
For each process required by law, and not herein enumerated	40
For every writing or record not herein provided for, every one hundred words.....	10
For every trial on default.....	40
For every confession of judgment.....	1 25
For every trial where defense is made.....	1 00
For each additional day occupied in trial after the first.....	1 00
For certifying copies of all proceedings, for each one hundred words.....	10
For entering continuance.....	20
For every bond or recognizance.....	40
For every venire for jury.....	40
For every subpoena for witnesses, to include all called for at one time.....	40
For each transfer or assignment of judgment.....	25

For issuing execution.....	\$ 35
For each oath not otherwise herein provided.....	05
For filing each paper except his own process.....	05
For rendering every final judgment.....	25
For trial of right of property and judgment.....	25
For swearing jury.....	10
For making up docket, for every one hundred words,	10
For every writ of attachment against property.....	40
For writing an affidavit.....	25
For making return of fines for each mile necessarily traveled, to be paid out of the county treasury, but in no case shall said mileage exceed the amount of fines returned.....	10
For each mile necessarily traveled in conveying papers in cases of appeal.....	10

For all services not herein enumerated, justices of the peace shall receive the same compensation paid clerks of the Circuit Court for similar services.

Amend section 3 by inserting in line 1 the figure "2" instead of the figure "3."

And when thus amended, your committee do recommend the passage of the bill.

The report was concurred in, and the bill ordered to be engrossed as amended.

Mr. Collins, from the committee on fees and salaries, submitted the following report:

MR. SPEAKER:

Your committee on fees and salaries have directed me to report to the House the following bill on the subject of constables' fees, and recommend its passage:

The bill referred to being entitled "A bill for an act to amend section 26 of an act entitled 'an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws,'" approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Houghton was granted leave of absence until to-morrow.

Pending the call of committees for reports, at the committee on fees and salaries, on motion by Mr. Oglebay, the House adjourned.

AFTERNOON SESSION,

FRIDAY, February 13, 1877.

The House met, with the Speaker in the chair.

Mr. Johnson of Carroll, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills, to which was referred Engrossed House Bill No. 172, desire to report that they have examined the same, compared it with the original, and find the same correctly engrossed.

Mr. Chawner, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

The committee on engrossed bills report that they have compared Engrossed House Bills Nos. 153, 175, 167, 148, 238, 235 and 172 with the originals, and find them correctly engrossed.

Mr. Kennedy of Rush, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee on fees and salaries, to which was referred House Bill No. 476, introduced by Mr. Yaryan, entitled "An act to provide for the compensation of the officers and employes of the two Houses of the General Assembly," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Kennedy of Rush, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee on fees and salaries, to which was referred House Bill No. 143, introduced by Mr. Smith, report that we have had the same under consideration, and recommend that it be amended by striking out of section 3 lines 26, 27 and 28, on page 2, and insert the following :

Postmaster of the Senate per day.....\$3 00

Postmaster of the House, per day..... 4 00

Pages of the Senate and of the House, each, per day, 2 00

And when so amended, we recommend that the same do pass.

The report was concurred in, and the bill, as amended, ordered to be engrossed.

Mr. Hauss, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee to which was referred House Bill No. 358, introduced by Mr. Perigo, entitled "An act to amend sections 11 and 12 of an act entitled 'An act fixing the fees and salaries and compensation of the officers and persons therein,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Leave of absence for the afternoon was granted the special committee on examination of the Exposition grounds.

Mr. Hauss, from the committee on fees and salaries, to which was referred House Bill No. 129, introduced by Mr. McCarty, entitled "A bill to prohibit sheriffs from charging fees for any services rendered by bailiffs during the terms of any of the circuit courts of this State," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Thompson of Elkhart, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee on fees and salaries to whom was referred House Bill No. 382, entitled "An act fixing the fees of county auditors and treasurers for managing the school fund," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Thompson of Elkhart, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee on fees and salaries to whom was referred House Bill No. 109, introduced by Mr. Elwell, entitled "An act in relation

to compensation of election boards," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 368, entitled "An act providing that county commissioners shall furnish the proper means to test cattle and large platform scales, providing for the testing of the same, by whom and when, providing compensation, to prevent the issuing of condemned scales, forfeiture therefor, providing for re-testing and how often, how all fees may be collected, and to what capacity of scales to apply," have had the same under consideration, and have directed me to report the same back to the House and recommend the passage of the bill.

The report was concurred in, and the bill ordered to be engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 347, entitled "A bill to repeal section 1 of an act entitled 'an act providing for the protection of fish, and prescribing penalties for the violation thereof,'" approved February 22, 1871, have had the same under consideration, and have directed me to report the same back to the House and recommend that it be laid upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to which was referred House Bill No. 369, entitled "An act to repeal section 1 of an act entitled 'an act providing for the protection of fish,'" etc., have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 267, entitled, "A bill to amend the 2nd section of witness law, etc., defining who shall be competent witnesses in any court or judicial proceedings in this State," have had the same under consideration, and have directed me to report the same back to the House with this amendment: By inserting in line 20, "unless with consent of the party making such confidential communication." When so amended the majority of said committee recommend its passage.

Mr. Morgan, from the same committee, submitted the following minority report :

MR. SPEAKER :

The undersigned of your committee on rights and privileges, beg leave to make a minority report on House Bill No. 267, entitled, "A bill to amend the 2nd section of witness law, etc.," and recommend that the same be indefinitely postponed.

The question being upon the adoption of the minority report.

The ayes and noes were demanded by Messrs. Carlton and Yaryan.

Those who voted in the affirmative were Messrs. Albert, Askren, Austin, Branyan, Bumgarner, Carlton, Carr, Carson, Chawner, Claypool, Collins, Compton, Conley, Cook, Cooley, Dannettell, Davis, Foster of Allen, Freeman, Fromm, Gossman, Grubbs, Guthrie, Hosmer, Johnson of Carroll, Kennedy of Rush, Koontz, Lane, Langdon, Little, Lockhart Madden, Marsh, Mathews, Merriman, Morgan, Morrison, McCarty, McGaughey, Paige, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Thompson of Elkhart, Whitehead, Wells, Warrum, Zimmerman and Mr. Speaker.—54.

Those who voted in the negative were Messrs. Adams, Ames, Cary, Coffinan, Cole, Copeland, Craft, Crumpacker, Endsley, Foster of Monroe, Girton, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Lanham, Lehman, Moorman, Oglebay, Peelle, Swayzee, Thomson of Miami, Viehe, Yaryan and Zehring.—32.

So the minority report was adopted, and the bill indefinitely postponed.

Mr. Carson, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to which was referred House Bill No. 343, entitled "An act declaring agreements to pay attorneys' fees contained in any bill of exchange, acceptance, draft, promissory note, or other written evidence of indebtedness, illegal and void, and repealing all laws or parts of laws in conflict with this act," have had the same under consideration, and a majority of said committee have directed me to report and recommend that it do pass.

Mr. Compton, from the same committee, submitted the following minority report :

MR. SPEAKER :

The undersigned of your committee on rights and privileges beg leave to make a minority report on House Bill No 343, entitled "An act declaring agreements to pay attorneys' fees contained in any bill of exchange, acceptance, draft, promissory note, or other written evidence of indebtedness, illegal and void, and recommend that it do lie upon the table.

Which minority report was adopted and the bill laid upon the table.

Mr. Foster of Monroe, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 357, entitled "An act for the better protection of wild birds," etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be laid upon the table, which report was concurred in and the bill laid upon the table.

Mr. Foster of Monroe, from the committee rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 277, have had the same under consideration, and have directed me to refer the same back to the House and recommend that it lie upon the table.

Which report was concurred in and the bill laid on the table.

Mr. Compton, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 300, entitled, "An act to provide for the redemption of personal property sold for taxes," approved March 13, 1875, have had the same under consideration, and have directed me to report the same back to the House and recommend that the same lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Ashby, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 295, entitled "An act to amend section 2 of an act entitled 'an act to provide for the protection of wild game, and defining the time in which the same may be taken or killed, and declaring the penalty for violation of this act, approved March 11, 1869, and also providing for the protection of certain birds therein named, and affixing a penalty,'" have had the same under consideration, and have directed me to report the same back to the House and recommend that the same lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Paige, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 348, entitled a bill to repeal an act entitled "An act to encourage the destruction of wolves and foxes," have had the same under consideration, and recommend that it be referred to the committee on county and township business.

Which report was concurred in, and the bill referred to the committee on county and township business.

Mr. Foster of Allen, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads to which was referred House Bill

No. 206, by Mr. Lockhart, entitled "An act to prevent accidents on railroads, prescribing penalties for violations, and declaring an emergency," beg leave to report that they have had the same under consideration, and have directed me to return the same, with the recommendation that section 1 be amended so as to read after the enacting clause, as follows:

That any and all railroads in this State, using steam locomotive engines for the transportation of passengers or freight, shall be required to have attached to each and every such engine used on said road, a bell of the ordinary size now in use on locomotives and engines, and a steam whistle; and it is hereby made the duty of the engineer or person in charge of any such engine, when in motion and approaching any turnpike, highway, or street crossing, to sound such whistle and to ring, or cause to be rung, such bell continuously until such engine shall have passed such crossing or crossings: *Provided*, That nothing herein shall interfere with the proper observance of any ordinance passed by any city in this State regulating the management of railroad trains and the use of steam whistles within the limits of any such city.

And I am directed by the committee to further recommend that section 2 of said bill be amended to read as follows:

SECTION 2. Every engineer, or person in charge of such engine, upon any railroad in this State, who shall violate the provisions of the first section of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars.

And when so amended your committee recommend that the bill do pass.

The report was concurred in, and the bill as amended ordered to be engrossed.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the following resolutions of the House, to-wit:

WHEREAS, Retrenchment in public expenditures is imperatively demanded by the exigencies of the times; and,

WHEREAS, It is difficult to ascertain where retrenchment ought to be made and expenses can be cut down; and,

WHEREAS, The several committees of the Legislature have the means to approximate the necessary expenses for the payment of the respective departments put under their immediate supervision ; therefore,

Resolved by the House, the Senate concurring, That the several committees be and they are hereby requested to report to the chairman of the committee of ways and means the minimum sum which in their opinion will be necessary to a judicious and honest administration of each department for the next two years, suggesting at the same time the retrenchment, if any, that can and should be made.

Also, House concurrent resolution as follows :

WHEREAS, One Patrick Shannon presented a claim of \$2,500 to the last Legislature at the Regular Session of 1875, which the said Patrick Shannon alleged was due him as former agent of the State, on account of salary, office rent, etc. ; and

WHEREAS, The two Houses failed to agree as to the validity of said claim, and said claim at the Special Session of 1875, was referred to a conference committee of the two Houses, which also failed to agree ; and,

WHEREAS, A second committee of conference was appointed which agreed that said claim should be paid, provided that the Attorney General should first file with the Auditor of State his official statement that he had carefully examined the law and the facts in the case, and had found said claim to be just and equitable ; therefore

Be it Resolved by the House of Representatives, the Senate concurring, That the Attorney General be and is hereby respectfully requested to furnish the two Houses of the General Assembly with early information upon the following inquiries :

1. Has such official statement ever been filed with the Auditor of State ?
2. What are the facts in this case, and what is the law applicable to the same ?
3. Did said Patrick Shannon, as claimed, actually have an office in the City of New York ?

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bills Nos. 268, 339 and 365, and find them properly engrossed.

Mr. Hall, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads to whom was referred House Bill No. 377. "A bill prohibiting counties, townships and cities from taking stocks in making donations to railroad companies," have had the same under consideration, and have directed the same to be reported back with the recommendation that the same do pass.

The question being on concurring in the report, the ayes and noes were demanded by Messrs. Cole and Hall.

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Branyan, Cary, Compton, Conley, Copeland, Craft, Davis, Foster of Allen, Foster of Monroe, Grubbs, Hall, Harris, Hatfield, Henderson, Harper, Hosmer, Hubbard, Johnson of Carroll, Kimmell, Koontz, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Moorman, Morgan, McGaughey, Oglebay, Peelle, Perigo, Reno, Sailors, Scott, Swayzee, Whitehead, Zehring, Zimmerman and Mr. Speaker—44.

Those who voted in the negative were Messrs. Albert, Askren, Bumgarner, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Cook, Cooley, Crumpacker, Dannettell, Endsley, Freeman, Fromm, Girton, Gossman, Guthrie, Hauss, Highway, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Lane, Langdon, Lanham, Moorman, Morrison, McCarty, Paige, Riley, Smith, Spencer, Stewart, Thompson of Elkhart, Thomson of Miami, Viehe and Wells—42.

So the report was concurred in and the bill ordered engrossed.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 151, entitled "An act regulating the term of office of county commissioners and repealing all laws inconsistent therewith," have had the same under consideration, and have directed me to report the same back to the House and recommend that the same do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Little, from the committee on county and township business submitted the following report :

MR. SPEAKER :

Your committee on county and township business to whom was referred House Bill No. 325, entitled "An act repealing an act entitled 'An act to require county auditors to publish a statement of all the allowances made by the county commissioners,'" have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to which was referred House Bill No. 73, entitled "An act to compel railroad companies and other corporations, and persons owning or operating any railroads in this State, to fence such road, and prescribing penalties for a violation of the same, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

On motion of Mr. Albert, the report and bill were laid upon the table.

Mr. Gossman, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 331, entitled "An act regulating the duties of township trustees," etc., have had the same under consideration, and have directed me to report the same back to the House and recommend it lie on the table.

The report was concurred in, and the bill laid on the table.

Mr. Koontz, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 210, entitled "An act to amend sections 1

and 2 of an act entitled 'an act making it unlawful for owners and proprietors of billiard tables to suffer or permit minors to play at or upon the same, or to suffer or permit minors to congregate at and about such tables,' and providing penalties for the violation of this act," approved March 8, 1873, have had the same under consideration, and have directed me to report the same back to the House and recommend it do pass.

On motion of Mr. Branyan, the bill and report were laid upon the table.

Mr. Crumpacker, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 118, entitled "An act to amend section 5 of an act supplementary and amendatory of act entitled 'an act to provide for uniform assessment of property, and for a collection and return of taxes thereon,'" approved December 21, 1872, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same do pass.

On motion by Mr. Kennedy of Rush, the bill and report were laid upon the table.

Mr. Crumpacker, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business to whom was referred House Bill No. 135, entitled "An act to amend section 6 of an act providing for the organization of county boards, and prescribing some of their powers and duties," approved January 17, 1852, and to prevent and render unnecessary the calling of special sessions of such county boards, to approve official bonds, and make settlements, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Kimmell, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business to which was

referred House Bill No. 284, entitled "An act to enable the trustees to form a new school district and build a school house therein, and fixing the manner in which such expense shall be borne," have had the same under consideration, and have directed me to report the same back to the House, and recommend to amend the same by inserting the words "counties and" after the word "adjourning" in section 1, line 4,; also amend the title by inserting the words "counties and;" and when so amended recommend the same do pass.

The report was concurred in, and the bill, as amended, ordered to be engrossed.

Mr. Kimmell, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 259, "A bill to authorize boards of commissioners of counties to improve public highways in their respective counties by causing the same to be graded or macadamized after the same are graded, and authorize such board of commissioners to levy a tax therefor," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation to be referred to the committee on roads.

The report was concurred in and the bill referred to the committee on roads.

Mr. Gossman, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 164, entitled "An act to amend sections 2 and 3 of an act entitled 'an act providing for the election and prescribing certain duties of county surveyors,'" approved June 17, 1852, have had the same under consideration, and have directed me to report the same back to the House, and recommend that the bill and amendments lie on the table.

Mr. Branyan moved that the bill and report be laid upon the table.

Which was not agreed to.

The report was then concurred in and the bill laid upon the table.

Mr. Askren, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 471, being a bill for an act to amend sections 1 and 3 of an act entitled "An act to provide for the re-location of county seats, and for the erection of public buildings in counties in case of such re-location," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Rea, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 276, entitled "An act to authorize boards of county commissioners to transfer license to sell intoxicating liquors from the premises," have had the same under consideration, and a majority of said committee have directed me to report the same back to the House with the recommendation that the same lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Rea, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 260, entitled "An act to amend section 2 of an act providing for the organization of county boards, and prescribing some of their powers and duties," approved January 17, 1872, have had the same under consideration, and have directed me to report the same to the House and recommend it to lie on the table.

Which report was concurred in, and the bill ordered to lie upon the table.

Mr. Askren, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was

referred House Bill No. 329, entitled "An act providing that when there is no prison in any county, prisoners may be confined in the jail of another county," have had the same under consideration, and have directed me to report the same back to the House and recommend that the same do pass.

The report was concurred in and the bill ordered to be engrossed.

Mr. Askren, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred resolution inquiring into the comparative cost of the present semi-annual system of taxation, and the former system of annual taxation, have considered the same and direct me to report that the difference is trifling, not enough to pay for the bother we have had with the resolution.

Which report was concurred in and the resolution laid on the table.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 225, entitled "An act concerning transient poor persons from home, and common vagrants, defining the duties of township trustees, mayor of cities and county commissioners in relation thereto, prescribing penalties, and other matters pertaining thereto," have had the same under consideration, and have directed me to report the same back to the House and recommend that the same be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Carlton, from the committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills respectfully report that we have examined Enrolled Act No. 55, House of Representatives, and have compared the same with the engrossed bill and find the same correctly enrolled.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 326, entitled "An act for the relief of Henry Rott and John W. Harryman, sureties on the bond of Martin S. Snodgrass, deceased, former Trustee of Bloomington township, Monroe county, Indiana, and to authorize the proper officers to levy a sufficient tax to make up the deficit arising upon said trustee's defalcations, and for other matters connected therewith," have had the same under consideration, and have directed me to report the same back to the House, and recommend the same to lie on the table.

Which report was concurred in and the bill laid upon the table

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 419, entitled, "An act to amend section 2 of an act in relation to county auditors," approved May 31, 1852, and requiring Auditors now in office to give additional bonds, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be laid upon the table.

The report was concurred in and the bill laid upon the table.

Mr. Little from the committee on county and township business, submitted the following report :

MR. SPEAKER:

Your committee on county and township business to whom was referred House Bill No. 456, entitled, "An act to amend section 10 of an act entitled, 'an act providing for election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto,'" approved March 5, 1859, have had the same under consideration, and have directed me to report said bill back to the House with the recommendation that it be referred to the committee on roads.

Which report was concurred in and the bill referred to the committee on roads.

Mr. Kimmell, from the committee on county and township business, made the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 406, entitled "An act to amend sections 65, 66 and 68 of an act entitled 'an act providing for the election of justices of the peace, and defining their jurisdiction and duties in civil cases,'" approved June 9, 1852, have had the same under consideration, and have directed me to report the same back to the House and recommend the same do lie upon the table.

The report was concurred in and the bill laid upon the table.

Mr. Kimmell, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business to which was referred House Bill No. 244, entitled "A bill to amend an act entitled 'An act to provide for township elections,'" approved June 15, 1852, approved April 26, 1869, and providing for an election under this act, have had the same under consideration, and have directed me to report the same back to the House, and recommend the same to be amended by striking out the word "April," and inserting "October," in section 1, line 5; also strike out the word "April," in line 14, and insert the word "October;" also strike in last line "1878," and insert "1877," and, when so amended, recommend that the same do pass.

Mr. Gossman moved that the bill and report be laid upon the table.

Which was not agreed to.

Mr. Albert moved that the report be laid upon the table.

Which was not agreed to.

The report of the committee was not concurred in.

Pending further consideration of House Bill No. 244, on motion by Mr. Lehman, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

FEBRUARY 14, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. J. B. Brandt, of the Sixth Presbyterian Church.

The committee on reformatory institutions was granted leave of absence for the day.

On motion by Mr. Scott, the reading of the journal of yesterday's proceedings was dispensed with.

REPORTS FROM COMMITTEES.

The order pending yesterday at adjournment was resumed.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 276, entitled "A bill providing for the election of school directors, prescribing their powers, duties and qualifications, repealing all laws in conflict therewith," have had the same under consideration, and a majority of said committee have directed me to report the same back to the House and recommend it do pass.

Mr. Rea, from the same committee, submitted the following report :

MR. SPEAKER :

The undersigned, of the committee on county and township business, have had under consideration House Bill No. 236, entitled "A bill providing for the election of school directors, prescribing their powers, duties, qualifications, etc.," make the following minority report of said committee, and would recommend the same be laid upon the table.

The question being on the adoption of the minority report.

On motion by Mr. Viehe, the bill and reports were referred to the committee on education.

The Speaker announced that he had signed Enrolled House Act No. 55.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 187, entitled "An act to amend section 53 of an act entitled 'an act to provide for a uniform assessment of property; and for the collection and return of taxes thereon,'" approved December 21, 1872, have had the same under consideration, and have directed me to report it back to the House, with the following recommendation, to-wit: That it be amended by exempting railroad corporations from the benefits of this act, and further amended by inserting in line eleven, after the word incorporation, the words "within the State of Indiana," and when so amended the bill do pass.

Mr. Askren, from the committee on county and township business, submitted the following minority report :

MR. SPEAKER :

The undersigned members of your committee on county and township business, to whom was referred House Bill No. 187, being a bill for an act to amend section 53 of an act entitled "An act to provide a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, would most respectfully dissent from the majority report of the committee, and as a minority report recommend that the said bill lie on the table.

Mr. Lehman moved the previous question.

Which was seconded by the House, and the main question ordered, being, shall the minority report be adopted ?

Messrs. Riley and Gossman demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ames, Askren, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Coffman, Cole, Collins, Compton, Conley, Copeland, Craft, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Fromm, Gossman, Grubbs, Hall, Harris, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Langdon, Leeper, Lehman, Lockhart, Madden, Mathews, Merri-man, Moorman, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest,

Reno, Scott, Smith, Spencer, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Warum, Yaryan, Zehring, Zimmerman and Mr. Speaker—62.

Those who voted in the negative were Messrs. Ashby, Austin, Baxter, Carr, Chawner, Claypool, Cook, Cooley, Crumpacker, Davis, Endsley, Girton, Hatfield, Houghton, Harper, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Lane, Lanham, Little, Marsh, Morgan, Morrison, McCarty, Rea, Riley, Sailors, Thomas, Whitehead and Wells—33.

So the minority report was adopted, and the bill laid upon the table.

The Speaker laid before the House the following communication :

To The Honorable John Overmyer, Speaker, and The Members and Officers of the Indiana House of Representatives :

By invitation of the Indiana Historical Society, Professor Cox will deliver his elaborate lecture on the Archæology, embracing Pre-Historic man, and Indiana Antiquities, at the United States Court room, in the Postoffice building, on Wednesday evening next. The place of meeting is central and of easy access; seats free. As State Geologist Professor Cox has had unlimited facilities for investigating the interesting subject of his lecture, and our citizens will be served with a rare intellectual and historical feast, on the occasion.

Yourself, ladies and friends are cordially invited.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 472, entitled "A bill to amend the assessment act of December 21, 1872, and supplementary to said act," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Kimmell, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 422, entitled "An act to amend section 60

and to repeal section 290 of an act entitled 'an act to provide for a uniform assessment of property, and for the collection and return of taxes,'" approved December 21, 1872, have had the same under consideration, and have directed me to report the same back to the House and recommend that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 397, entitled "An act to amend section 8 of an act to provide for a more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 18, 1859, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 255, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

The House resumed consideration of House Bill No. 244, pending at adjournment yesterday afternoon, whereupon the bill was ordered to be engrossed.

By unanimous consent House Bill No. 419, by Mr. Henderson, was taken from the table and recommitted to the committee on county and township business.

Mr. Rea, from the committee on agriculture, submitted the following report :

MR. SPEAKER :

Your committee on agriculture to whom was referred House Bill

No. 373, introduced by Mr. Warrum, entitled, "An act to prevent the spread of hog cholera," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it lie on the table.

Mr. Viehe moved the previous question, which was seconded by the House and the main question ordered, whereupon the report of the committee was concurred in and the bill laid on the table.

Mr. Thompson of Elkhart, from the committee on agriculture, submitted the following report :

MR. SPEAKER :

Your committee on agriculture to whom was referred House Bill No. 101, entitled "A bill to amend sections 2 and 4 of an act to discourage the keeping of useless and sheep-killing dogs, etc.," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same lie on the table.

Mr. Thomas, from the same committee, submitted the following minority report :

MR. SPEAKER :

The undersigned, a minority of your committee on agriculture, to whom was referred House Bill No. 101, being a bill for an act to amend sections 2 and 4 of an act to discourage the keeping of useless and sheep-killing dogs, etc., approved June 15, 1852, would most respectfully dissent from the report of the majority of said committee, and recommend that said bill be amended by striking out all after the enacting clause and inserting in lieu thereof, the following :

Section 2. That it is hereby made the duty of the board of county commissioners at the June session in each year to levy a tax upon each male dog owned, kept or harbored by any person, in a sum not less than one dollar and not to exceed two dollars for the first male dog, and a sum not less than two dollars for each female dog, and not to exceed four dollars, and for each additional dog a sum of not less than two dollars nor more than four dollars ; that it shall be the duty of the several county auditors in the State, when making out the duplicate of taxes for their respective counties, to add to the same in separate column or columns the number of dogs over the age of six months, and whether male or female, owned, kept or harbored by persons in their respective counties as returned

by the assessor, and charge each and every owner on his said duplicate the sum levied by their respective boards of commissioners, and said auditor shall carry out the sum so charged against the owner into the column of total amounts assessed against the owner, and the same shall be collected by the county treasurer in the same way and manner to all intents and purposes, as state and county taxes are now collected.

Section 3. Any person found keeping, owning or harboring any dog over the age of one year which has not been listed for taxes, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not less than ten dollars.

When so amended, respectfully recommend its passage.

The minority report was not adopted.

The question recurring on a concurrence in the majority report, the ayes and noes were demanded by Messrs. Scott and Thomas.

Those who voted in the affirmative were Messrs. Adams, Alberts, Ames, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carr, Claypool, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft Crumacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Little, Lockhart, Madden, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Sailors, Smith, Swayzee, Thomson of Elkhart, Thompson of Howard, Whitehead, Warrum, Zehring and Mr. Speaker—61.

Those who voted in the negative were, Messrs. Askren, Carson, Chawner, Coffman, Cole, Fromm, Girton, Harper, Hulet, Kimmell, Langdon, Lanham, Marsh, Moorman, Morrison, McGaughey, Peelle, Riley, Scott, Thomas, Wells and Zimmerman—22.

So the minority report was concurred in and the bill laid on the table.

Mr. Thomas from the committee on agriculture, submitted the following report :

MR. SPEAKER:

Your committee on agriculture to whom was referred House Bill No. 379, introduced by Mr. Foster of Allen, entitled, "An act authorizing allowances in aid of agricultural associations," have had the same under consideration, and have directed me to report

the said bill back to the House with the recommendation that it do pass.

The report was not concurred in.

The question being, shall the bill be ordered engrossed?

The ayes and noes were demanded by Messrs. Foster of Allen and Marsh.

Those who voted in the affirmative were Messrs. Adams, Austin, Benz, Branyan, Bumgarner, Cary, Cole, Conley, Crumpacker, Davis, Foster of Allen, Gossman, Hall, Harper, Johnson of Dearborn, Kimmell, Madden, Marsh, Mathews, Reno, Thompson of Elkhart, Yaryan and Zimmerman—23.

Those who voted in the negative were Messrs. Albert, Ames Askren, Baxter, Carr, Carson, Chawner, Claypool, Collins, Compton, Cook, Cooley, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Fromm, Girton, Grubbs, Harris, Hatfield, Houghton, Hauss, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy Rush, Kennedy of Union, Koontz, Langdon, Lanham, Little, Lockhart, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Warrum, Zehring and Mr. Speaker—61.

So the bill was not ordered to engrossment, and was laid upon the table.

Pending the call of committees for reports, on motion by Mr. Warrum, the House adjourned.

AFTERNOON SESSION.

WEDNESDAY, February 14, 1877.

The House met with the Speaker in the chair.

REPORTS FROM COMMITTEES.

Mr. Johnson of Dearborn, from the committee on agriculture, submitted the following report :

MR. SPEAKER :

Your committee on agriculture, to whom was referred House Bill No. 246, entitled "A bill for an act to repeal an act approved March 2, 1865, known as the dog-tax law," have had the same

under consideration, and have directed me to report the same back to the House and recommend it to be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

By unanimous consent Mr. Craft moved that 100 copies of House Bill No. 53 be printed for the use of the House.

Which was agreed to.

Mr. Johnson of Dearborn, from the committee on agriculture submitted the following report :

MR. SPEAKER :

Your committee on agriculture to whom was referred House Bill No. 388, introduced by Mr. Paige, entitled "An act to discourage the keeping of useless and sheep-killing dogs," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Crumpacker from the committee on agriculture, snbmitted the following report :

MR. SPEAKER :

Your committee on agriculture to whom was referred House Bill No. 355, entitled "A bill to amend an act prescribing penalties for allowing Canada thistles to grow on farms and highways so as to include railroads, etc., in such penalties," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Kimmell, from the committee on agriculture, submitted the following report :

MR. SPEAKER :

Your committee on agriculture, to whom was referred House Bill No. 125, entitled "An act to amend section 2 of an act entitled 'an act to discourage the keeping of worthless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others,' " etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie on the table.

Which report was not concurred in, and the bill was ordered to be engrossed.

Mr. Thompson of Elkhart, from the committee on agriculture, submitted the following report :

MR. SPEAKER:

Your committee on agriculture, to whom was referred House Bill No. 443, introduced by Mr. Grubbs, entitled "An act for the encouragement of agriculture by affording relief to the State Board of Agriculture," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Priest moved to suspend the order of business and take up House Bill No. 377.

Which was agreed to.

Mr. Branyan moved to recommit the bill with the following instructions :

MR. SPEAKER:

I move that Engrossed House Bill No. 377 be recommitted to the committee on railroads, with instructions to amend section 1 by adding thereto these words, to wit: "*Provided*, That the provisions of this act shall not invalidate any donation or aid now voted or contracted by any township, city or county, to any railroad company."

Mr. Cole moved to lay the motion to recommit on the table.

Which was not agreed to.

Mr. Lane offered the following amendment to the instructions :

"That this bill shall not apply to railroads whose lines have been located, and for which one or more townships or counties have voted a tax, nor shall it prevent any township or county from voting a tax in aid of the construction of any railroad, the line of which has been located."

Which was accepted by Mr. Branyan.

Mr. Wells moved to lay the motion to recommit, with instructions as amended, on the table.

The motion did not prevail.

The motion to recommit, with instructions, was agreed to.

The committee on engrossed bills report that they have compared Engrossed House Bills Nos. 368, 143, 471 and 329 with the original bills and find the same correctly engrossed.

Mr. Moorman, from the committee on temperance, made the following report :

MR. SPEAKER :

Your committee on temperance to whom was referred a resolution inquiring into the expediency of the passage of a law, appropriating one-half of the amount derived annually from liquor license for the creation of a fund for the building of an asylum for inebriates, have had the same under consideration and instruct me to report the same back to the House and recommend its indefinite postponement.

The report was concurred in and the bill indefinitely postponed.

Mr. Kennedy of Union, from the committee on temperance, made the following report :

MR. SPEAKER :

Your committee on temperance, to whom was referred House Bill No. 112, entitled "An act to regulate the sale of spirituous, vinous and malt liquors and prohibiting the sale on certain days and to certain persons," etc., have had the same under consideration and have directed me to report the same back to the House and recommend that it lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Baxter, from the committee on corporations, submitted the following report :

MR. SPEAKER :

Your committee on corporations, to whom was submitted House Bill No. 140, introduced by Mr. Henderson, entitled "An act to amend section 2 of an act approved March 13, 1875, to amend section 10 of an act to secure dues from private corporations and to extend their immunities to all citizens," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr Baxter, from the committee on corporations, submitted the following report :

MR. SPEAKER :

Your committee on corporations, to whom was referred House

Bill No. 33, introduced by Mr. Branyan, entitled "An act to amend section 7 of an act entitled 'an act for the incorporation and continuance of building and loan associations,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that said bill be amended by striking out the emergency clause; and your committee further recommend that said bill, when so amended, do pass.

Which report was concurred in, and the bill, as amended, ordered engrossed.

Mr. Carson, from the committee on corporations, submitted the following report :

MR. SPEAKER:

Your committee on corporations, to whom was referred House Bill No. 420, entitled "A bill for an act to amend section 4 of an act entitled 'an act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which such harbors may run, and to assess damages and benefits against adjoining owners,'" approved March 9, 1875, have given such bill careful consideration, and have directed me to report it back to the House, recommending its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Branyan, from the committee on corporations, submitted the following report :

MR. SPEAKER:

Your committee on corporations to whom was referred House Bill No. 337, introduced by Mr. Moorman, entitled "An act to amend sections 3, 6, 7 and 14 of an act entitled 'an act for the incorporation and continuance of building, loan-fund and savings associations,'" have had the same under consideration, and directed me to report the same back to the House with the recommendation that it do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Lanham, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER:

I am directed by the committee on engrossed bills to inform the House that said committee have compared House Bills Nos. 188

and 256 with the original copies and find the same properly engrossed.

The following message was received from the Senate, by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following act, to-wit.

Enrolled Act No. 55, House of Representatives. An act to cure defective sheriffs' sales where advertisement thereof has been made, as provided by an act approved March 11, 1875, entitled "An act to amend section 467 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity.' "

And the same is herewith returned to the House.

Mr. Kennedy of Rush, from the committee on canals, submitted the following report :

MR. SPEAKER :

Your committee on canals have had their attention called to the Wabash and Erie canal, and to the rights and interests of the State therein, and beg leave to submit the following report :

This canal, intended to open a water communication between Lake Erie and the Ohio river, by way of the Wabash valley, was mainly built by the State of Indiana. The Government of the United States donated large bodies of land for its construction ; money was appropriated from the State treasury, and State bonds were issued, and, in consequence of this and other canals, roads and improvements, the State became largely involved in debt, and unable, even, to pay her interest. In 1846, at the solicitation of her creditors, a law was passed to compound with them, followed by a supplemental law during the next year. Under the operation of these laws, commonly called the "Butler bill," the State agreed and did transfer to three trustees, two chosen by the stockholders and one chosen by the State, the canal, with all its lands, rights of way, tolls, rents, leases and franchises, in consideration of one-half of its bonded indebtedness, and agreed and did issue new bonds or

State stocks for the other half to all creditors who would accept the terms and become parties to the agreements. Under this contract the canal stockholders were to finish the canal to Evansville, and to maintain it as an avenue of commerce. They received not only the canal, its bed, equipments and rights, but some eight hundred thousand acres of land also, which were to be sold for the benefit of the canal. It was believed on both sides when this arrangement was made that the consideration given by the State in payment of its indebtedness was ample; that the canal would be completed and maintained; that it would prove a profitable investment, and that in the course of time its profits would pay all expenditures for its construction. A clause was therefore inserted in the contract giving to the State the right of redeeming the canal on payment to the stockholders any balance not already re-paid from the earnings. But all these calculations have proven erroneous.

The canal was never finished according to contract; its income has been insufficient for its maintainance; its lands have nearly all been sold; for years it has been abandoned as to about one-half its extent, and the stockholders, alleging wrongs on the part of the State, have been demanding payment for their losses. To prevent the acknowledgment or payment of any such claims by the General Assembly, an amendment was adopted to the Constitution. But this amendment does not abandon the right of the State to resume the ownership of the canal; does not provide for closing the trust and conveying to the stockholders a fee simple to the canal and its lands, and does not provide for the settlement of the claims, or pretended claims, of the stockholders against the State.

Your committee have not been able to find any report made by the Trustees of the canal for the past, as they are required to do by law, and on inquiry at the executive offices of the State, learn that none has been made. In the Auditor of State's report there is embodied a statement of receipts and expenses from April 1 to July 21, 1875, of the Canal Trustees, which is of so extraordinary a character they would call your special attention to it. This exhibit shows receipts from J. H. Hager, the clerk; Thomas Dowling, one of the trustees; A. P. Willard, who has been dead for many years; P. M. Kent, and others, amounting in all to over \$18,000. A note says: "The above accounts, now brought into the cash account as part of the suspended debt, were paid and accounted for years ago." Your committee are at a loss as to how debts paid "years ago" could be carried as "suspended debts," and

how cash received "years ago" should be carried without appearing in the cash account of the trust. Surely such strange procedure must raise suspicion of crookedness, and ought not to have been unexplained by the Trustees. Nor are your committee relieved of their apprehensions when they turn to the disbursements. Here we find that out of twenty-five vouchers eight of them are paid to one of the Trustees, covering the sum of \$18,008.16; one of them is to another Trustee for the sum of \$4,010.10; three of them to the third Trustee for \$309.90, and three of them to the Clerk for \$2,973.59. To say the least, this is a very unequal distribution of the spoils. But your committee find further, that six other vouchers are paid to lawyers, and aggregate \$1,825. The remaining vouchers are, to persons for an unknown service, \$250 for general expenses, \$5,010.75, and for lands west of Tippecanoe, \$3,750.29. The receipts other than the suspended debts before mentioned, are lands, Vincennes district, west of Tippecanoe, \$460; office house and lot, supposed to be either sale or rent, \$422.11. It would seem, therefore, on the face of this report, that the Trustees have been keeping up an establishment to collect \$882,11 which cost twenty or thirty thousand dollars a year. These figures may be susceptible of some explanation, but the Trustees have not condescended to give it to the State.

From a report made to the General Assembly in 1875, House Journal, page 240, your committee learn that a company with whom the trustees had contracted for the maintainance of the canal for the purpose of navigation, had abandoned their contract after losing thereby the sum of \$162,326.11. They say that the rapid decay of the structures, unexpected injuries by floods, and the relentless opposition of railroads, so diminished the revenues as to render its maintainance impracticable. Your committee will not express any opinion as to the policy of keeping up the canal, nor of the liabilities of the State in the extent of its complete abandonment, but they will remind you that the General Assembly, after submitting to the people the constitutional amendments concerning the canal stock, passed an act approved February 14, 1873, authorizing county commissioners to appropriate money to aid in putting and keeping the canal in repair, thus intimating that it did not propose such abandonment.

From the same report your committee also learn that one Johnathan K. Gapin, the holder of a large amount of the canal stock for himself and others, has brought suit in the United States Circuit

Court to compel a sale of the canal and its property and a distribution of its proceeds, thus practically closing the trust. And from the statement of the trustees to the Auditor before referred to, they learn that the United States Court had ordered all the accounts of receipts and disbursements to be made to the courts. The trustees seem to have interpreted this order as an excuse for neglecting to make any report to the State, and hence, your committee have no official information of the progress of this suit. The Governor does not notice the matter in his message, and on inquiry it is learned that the Attorney General has given it no attention. Reports say that a decree has been rendered and the property sold, and yet no executive or judicial officer seems to have thought it of sufficient importance to look after or to mention it. A public work which costs the State millions of dollars, in connection with which claims are made against the State for millions of dollars, in the building and maintainance of which obligations have been incurred with a sister State, and the general government, is thus suffered to pass away and no officer of the State, paid to guard its interests, concerns himself to know whether the rights and interests of the State are protected or sacrificed.

Your committee are somewhat at a loss as to what to recommend in these premises, but they are clearly of the opinion that :

1st. It is the duty of the trustees of the Wabash and Erie Canal, to make full and complete report to the State of the condition and all matters and things affecting their trust.

2d. That it is the duty of the executive officers of the State, including the Attorney General, to see the rights of the State are guarded in all suits in which they may be involved.

3d. That this General Assembly ought to be fully informed if any or what legislation is necessary in order to protect its interest in the matter of the Wabash and Erie Canal.

4th. And that when the suit in the United States Court is finally disposed of, some means will be desired of pressing against the State large claims for damages on part of the stockholders of the Wabash and Erie Canal.

For the present, therefore, your committee recommend the adoption of the following resolutions :

1. *Resolved*, That the trustees of the Wabash and Erie Canal be, and they are hereby requested to make an immediate report to this General Assembly of the condition of their trust, as required by

law, and especially of all that has transpired concerning it since their report of two years ago.

2. *Resolved*, That the Clerk of the House certify this resolution to clerk of the board of trustees, J. H. Hager, Terre Haute, Indiana, as soon as possible.

Which was adopted.

Resolved, That the Attorney General of the State be requested to inquire into the condition of the suits against the Wabash and Erie canal, brought by J. K. Gapin and others, in the United States Court; to inform the House what has been done in the premises, and if the rights and interest of the State are involved, and to suggest what legislation is necessary, if any, to guard the State against loss or damage in consequence of such suits.

Which was adopted.

Mr. Yaryan moved that the report be recommitted with the following instructions:

I move to recommit the report to the committee, with power to send for persons or papers, to investigate all matters pertaining to the collection and disbursement of all monies pertaining to the Wabash and Erie Canal, and that when such an investigation is made to report the result of such investigation to this House.

Which was agreed to.

Mr. Morrison, from the committee on affairs of the City of Indianapolis, submitted the following report:

MR. SPEAKER:

The committee on affairs of the City of Indianapolis, to whom was referred House Bill No. 320, have had the same under consideration, and direct me to report it back to the House with the recommendation that it pass.

The report was concurred in and the bill ordered to be engrossed.

Mr. Morrison, from the committee on affairs of the City of Indianapolis, submitted the following report:

MR. SPEAKER:

Your committee on the affairs of the City of Indianapolis, to whom was referred House Bill No. 234, have had the same under consideration and have directed me to report it back to the House and recommend its passage.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred Engrossed Senate Bill No. 33, entitled "An act to amend section 22 of an act entitled an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 12, 1852, have had the same under consideration and a majority of said committee have directed me to report the same back to the House and recommend its passage.

Mr. Paige from the committee on cities and towns, submitted the following minority report :

MR. SPEAKER :

We, the undersigned, a minority of the committee on cities and towns, to whom was referred Engrossed Senate Bill No. 33, entitled "An act to amend section 22 of an act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 22, 1852, beg leave to make minority report that said bill lie on the table.

Which minority report was not adopted.

The majority report was then concurred in.

Indefinite leave of absence was granted Mr. Hubbard.

Mr. Grubbs offered the following amendment to Senate Bill No. 33: Amend clause 6th of said act by adding "to punish intoxication, common prostitutes and their associates, immoderate driving and riding, to regulate or prohibit the use of fire-works, or other things tending to endanger persons and property, to prevent interference with the free use of streets and alleys of the town, preserve peace and good order, and prevent vice and immorality."

Which was agreed to.

Also the following further amendments :

Amend clause 7th by adding or incorporating the following: "Street auctions and all tables, alleys, machines, devices and places for sports or games kept for hire or pay."

Which was agreed to.

Amend clause 15 by adding "and on each male dog a tax not exceeding one dollar and on each female dog a tax not exceeding two dollars, to be paid by the owners thereof."

Which was agreed to.

The amendments were ordered to be engrossed, and the bill, as amended, passed for a third reading.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, to whom was referred House Bill No. 294, introduced by Mr. Hauss, entitled "An act to amend section 1 and to repeal section 3 of an act entitled 'an act to amend sections 15 and 16 of an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties,' approved June 11, 1852, and providing for the election of the town marshal by the town trustees," approved March 10, 1873, have had said bill under consideration, and have directed me to report said bill back to the House with the recommendation that it be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, to whom was referred House Bill No. 333, entitled "An act to authorize cities to issue bonds for certain purposes, funding debts, etc.," have had the same under consideration and have directed me to report the same back to the House and recommend to strike out in line 13 the word majority and insert "two thirds," and, when so amended, recommend its passage.

Mr. Austin, from the committee on cities and towns, submitted the following minority report:

MR. SPEAKER:

The undersigned, a minority of the committee on cities and towns, to whom was referred House Bill No. 333, entitled "An act to authorize cities to issue bonds for certain purposes, funding debts," report the same to lie on the table.

Which minority report was not adopted.

The majority report was then concurred in.

Mr. Peelle then moved the following amendment to the bill :

MR. SPEAKER :

I move to amend this bill by adding at the conclusion of section 2 the words : "*Provided*, That the provisions of this act shall not apply to any city having a voting population of sixteen thousand or over, as shown by the votes cast for Governor at the last preceding election."

Which was agreed to, and the bill ordered to be engrossed.

Mr. Zimmerman, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns to whom was referred House Bill No. 318, entitled "An act to legalize proceedings of county boards and town trustees touching annexation of territory, and levy and collection of taxes, and proceedings relative thereto," have had the same under consideration and have directed me to report the same back to the House and recommend the same be laid upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Zimmerman, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 203, entitled "An act to amend an act entitled 'an act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways, and for straightening or altering of water courses by the cities of this State, and providing for the appointment of commissioners to assess benefits and damages, prescribing their duties and method of procedure, and providing for the collection of benefits and payment of damages, and prescribing the duties of city officers in relation thereto, and providing remedies in such matters,'" approved March 17, 1875, have had the same under consideration and have directed me to report the same back to the House and recommend it to be laid on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Austin, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House

Bill No. 404, entitled "A bill to legalize the acts of the incorporation of the town of Noblesville, Hamilton county, Indiana," have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Austin, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 378 entitled "A bill exempting cemetery lots from sale on execution or other legal process," have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. McGaughey, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns to whom was referred House Bill No. 356, entitled "An act to amend section 57 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties,'" approved June 11, 1852, have had the same under consideration, and have directed me to report the same back to the House and recommend the same be laid on the table.

Which report was concurred in and the bill laid upon the table.

Mr. McGaughey, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 174, entitled "An act to amend section 57 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties,'" approved June 11, 1852, have had the same under consideration, and have directed me to report the same back to the House and recommend that it be laid on the table, another similar bill having been reported.

Which report was concurred in and the bill laid on the table.

Mr. Dannettell, from the committee on cities and towns submitted the following report :

MR. SPEAKER :

Your committee on cities and towns to whom was referred House Bill No. 72, by Mr. Koontz, entitled "An act to legalize the official act of the several boards of trustees of the town of Portland, Jay county, Indiana, and the official acts of each and every officer of said town, from the date of March 6, 1875, as under 'an act for the incorporation of towns and defining their powers, providing for the election of officers and declaring their duties,' " approved June 11, 1852, have had said bill under consideration and have directed me to report it back to the House with the recommendation that it be laid upon the table.

The report was not concurred in, and the bill was recommitted to the committee on cities and towns.

Mr. Dannettell, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 432, entitled "An act to amend an act entitled 'an act to repeal all general laws in force for the incorporation of cities and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same and to regulate such other matters as properly pertain thereto, have had the same under consideration and have directed me to report it back to the House, and recommend the same to be laid on the table.

Which report was not concurred in, and the bill was ordered to be engrossed.

Mr. Paige, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns to whom was referred Engrossed Senate Bill No. 101, entitled "An act to legalize the official acts of the board of trustees of the town of Loogootee, Martin county, Indiana, have had the same under consideration and have

directed me to report the same back to the House and recommend its passage.

Which report was concurred in, and the bill passed to a third reading.

Mr. Paige, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred Engrossed House Bill No. 104, entitled "An act to legalize the official acts of the trustees of the town of Shoals, Martin county, Indiana, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which report was concurred in, and the bill passed to a third reading.

Mr. Warrum, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 473, entitled "An act to amend section 51 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof,' approved June 11, 1852, repealing all laws in conflict herewith," etc., have had the same under consideration and have directed me to report the same back to the House and recommend its passage, after striking out after the words "June 11, 1852," in line 9, page 1, all the section to line 17 on page 2.

The report was concurred in, and the bill as amended, ordered engrossed.

Mr. Warrum, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 426, entitled "A bill to authorize county commissioners to unite with cities having a population of forty thousand and over at the last census, on the erection and maintainance of work houses," have had the same under consideration, and recommend its passage.

Which report was concurred in.

Mr. Yaryan moved the following amendment to the bill :

I move to amend by striking out the words "forty thousand inhabitants" and inserting "all incorporated cities."

Mr. Craft offered the following amendment to the amendment:

I move to strike out the words "forty thousand" and insert "any city or incorporated town."

Which was accepted by Mr. Yaryan and the amendment adopted by the House, and the bill as amended ordered to be engrossed.

Mr. Johnson of Carroll, from the committee on engrossed bills, made the following report:

MR. SPEAKER:

Your committee on engrossed bill to whom was referred Engrossed House Bills Nos. 309 and 314, desire to report that they have examined the same, compared them with the originals, and find them correctly engrossed.

Mr. Cole, from the committee on roads, submitted the following report:

MR. SPEAKER:

Your committee on roads to whom was referred House Bill No. 34 with instructions to amend, would report that they have had the bill and instruction under consideration, and have amended the bill in accordance with instructions as follows, to-wit:

1. Amend section 5 by inserting after the word "assessed," in line 4, page 11, the following words: "And also the owners of the majority of the whole number of acres of all lands that are reported as benefited and ought to be assessed."

2. Amend section 6 by inserting in line 6 page 20 after the word "purpose," the following words: "And such assessments shall constitute and be considered a first lien on the real estate assessed in the same manner as other taxes are."

3. Amend section 7 by inserting after the word "are," in line 1 page 22, the following words: "*Provided further*, That the amount of such bonds outstanding at any one time shall not exceed the sum of fifty thousand dollars principal."

4. Amend section 12 by inserting after the word "direct," in line 14 page 33, the following words: "*Provided*, That all the lands liable to assessment under the provisions of this act for the construction of such roads shall be held responsible to the county to protect the county against all loss or liability arising from any judicial proceeding affecting the assessments for benefits, and also

all cost and expenses that may arise in any litigation, and assessments may be made to discharge the same."

And we unanimously recommend that after this bill has been so amended it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Sailors, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 279, entitled "An act repealing an act entitled 'an act to amend section 5 of an act to prohibit the collection of tolls on gravel, turnpike, macadamized and plank roads, in certain cases, etc.,'" have had the same under consideration, and have directed me to report it back to the House with the recommendation that the same do lie on the table.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Koontz, from the committee on roads, made the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 57, providing for improvement of highways, and repealing all laws inconsistent therewith, have had the same under consideration, and report it back to the House with the recommendation that it do lie upon the table.

Mr. Mathews, from the same committee, submitted the following minority report :

MR. SPEAKER :

The undersigned beg leave to offer the following minority report on House Bill No. 57, introduced by Mr. Mathews from the committee on roads, with the following amendments, and when so amended do recommend that the bill pass :

Amend section 1, line 11, by striking out the words "three nor more than."

Amend section 2, line 5, by inserting after the word "not" the following : "Less than five cents nor."

Also, same section, line 7, after the words "poll tax," insert "not less than one nor more than three."

Amend section 2 by adding to its close the following: "All taxes, with poll and property, not paid into the county treasury at the time herein provided, may be worked out under the contractor of the district where assessed at the same rates of wages that the contractor can employ other labor."

Amend section 3, line 2, by striking out the words "in the county paper," and insert the following: "In a paper having the largest circulation in his township, or by written notices posted up in five different places."

Amend section 3 by striking out all after the words "freehold security," in lines 23 to 27, inclusive, and insert the following: "In a sum double the amount of the contract, which bond shall be conditioned for the faithful performance of said contract."

Section 6. At the close of section 6, amend by adding the following: "The office of road supervisor is hereby abolished."

Mr. Koontz moved that the minority report be laid upon the table.

Which was agreed to.

The majority report was then concurred in, and the bill laid upon the table.

Mr. Koontz, from the committee on roads, submitted the following report:

MR. SPEAKER:

Your committee on roads, to whom was referred House Bill No. 323, entitled "An act to amend and provide for the opening, changing and vacating highways," approved June 17, 1852, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Koontz, from the committee on roads, submitted the following report:

MR. SPEAKER:

Your committee on roads, to whom was referred House Bill No. 359, entitled "An act to amend an act to authorize plank, macadamized and gravel road companies to consolidate their stock with other similar companies and to assume a common name, and defining the powers of such consolidated company," approved February 23, 1859, have had the same under consideration, and directed me to report the same back to the House and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 336, entitled "An act to amend section 26 of an act entitled 'an act to provide for the opening, vacating and change of highways,' approved June 17, 1852," have had the same under consideration and direct me to report the same back to the House, and recommend that the same be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Peelle, from the committee on insurance, submitted the following report :

MR. SPEAKER :

Your committee on insurance, to whom was submitted House Bill No. 396, introduced by Mr. Lockhart, entitled "An act relating to the insurance of married and unmarried women," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the said bill be amended by striking out in section 4 all after the word "representation" in line 9 of the said section 4. And your committee further recommend that said bill be amended by striking out the emergency clause. And your committee recommend that when said bill is so amended it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Peelle, from the committee on insurance, submitted the following report :

MR. SPEAKER :

Your committee on insurance, to whom was referred House Bill No. 150, introduced by Mr. Craft, entitled "An act to exempt benefit claims and interest of the wives, children and dependents of members of Masonic, Odd Fellows and other charitable societies, and exempting certain policies of life insurance," etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that section 2 of said

bill be stricken out, and that when said bill is so amended it do pass.

Which report was concurred in, and the bill, as amended, ordered engrossed.

Mr. Peelle moved to reconsider the vote by which the report of the committee on agriculture on House Bill No. 379 was not concurred in.

Which was agreed to, and the report was then concurred in and the bill ordered engrossed.

On motion by Mr. Grubbs, the vote by which the report of the committee on agriculture on House Bill No. 443 was concurred in was reconsidered, and further consideration thereof postponed until to-morrow at 10 o'clock A. M.

Mr. Houghton, from the committee on engrossed bills, made the following report :

MR. SPEAKER :

Your committee on engrossed bills, to whom was referred Engrossed House Bills Nos. 266 and 345, direct me to report that they have examined the same and find them correctly engrossed.

Mr. Lockhart, from the committee on insurance, submitted the following report :

MR. SPEAKER :

Your committee on insurance, to whom was referred House Bill No. 409, introduced by Mr. Hubbard, entitled "An act in relation to the duties of life, health or accident insurance companies," have had the same under consideration, and have directed me report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Ashby, from the committee on insurance, submitted the following report :

MR. SPEAKER :

Your committee on insurance, to whom was referred House Bill No. 454, introduced by Mr. Kennedy of Rush, entitled "An act to authorize the organization of voluntary associations for mutual insurance," have had the same under consideration, and have directed me to report the same back with the recommendation that it do pass.

The report was concurred in and the bill ordered to be engrossed.

Mr. Hall, from the committee on drains and dykes, submitted the following report :

MR. SPEAKER :

Your committee on drains and dykes, to whom was referred Senate Bill No. 35, an act amending sections 4 and 7 of an act entitled "An act to enable the owners of wet lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith," approved March 11, 1869, have had the same under consideration and beg leave to return the same with the recommendation that the same do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Hall, from the committee on drains and dykes, submitted the following report :

MR. SPEAKER :

Your committee, to whom was referred Engrossed House Bill No. 2, a bill to enable owners of wet lands to drain and reclaim the same where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith, approved March 11, 1867, and declaring an emergency, with instructions to amend the same so as to make it conform to Senate Bill No. 35, and to harmonize the two bills, have had the same under consideration and beg leave to report that there is no conflict between the two bills that the committee can discover, and therefore they return the bill to the House with the recommendation that the same do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Hall, from the committee on drains and dykes, submitted the following report :

MR. SPEAKER :

Your committee on drains and dykes, to whom was referred House Bill No. 199, an act to amend section 9 of an act entitled

"An act to enable the owners of wet lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith," approved March 11, 1867, have had the same under consideration and beg leave to report the same back with the recommendation that it lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Hall, from the committee on drains and dykes, submitted the following report :

MR. SPEAKER :

Your committee on drains and dykes, to whom was referred House Bill No. 410, "An act to enable the owners of wet lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of township trustees and other officers in the premises, and to provide for the repair of such drains, and repealing all laws in conflict herewith," have had the same under consideration and have directed me to report the same back with the recommendation that it be amended by striking out the words "board of county commissioners," in line 10, section 9, and insert in lieu thereof the words "circuit court," and that the bill be further amended so that section 18 shall read as follows : "Section 18. This act shall not be construed as repealing any other act on the same subject, but shall be considered as supplemental thereto."

Which report was concurred in and the bill as amended ordered to be engrossed.

Mr. Hall, from the committee on drains and dykes, submitted the following report :

MR. SPEAKER :

Your committee on drains and dykes, to whom was referred House Bill No. 402, "An act to enable the owners of wet lands to drain and reclaim them where the same can not be done without affecting the lands of others, creating the office of ditch commissioner, and prescribing his powers and duties in the premises, and repealing all laws inconsistent therewith," have had the same under consideration and direct that the same be reported back with the recommendation that it lie on the table.

Which report was concurred in, and the bill laid upon the table.

Pending the call of select committees, on motion by Mr. Chawner, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

FEBRUARY 15, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. L. F. Walker, of the Ninth Presbyterian Church.

On motion by Mr. Moorman, the reading of the Journal of yesterday's proceedings was dispensed with.

REPORTS FROM COMMITTEES.

Mr. Henderson from the select committee appointed to devise a better system for the settlement of decedents' estates and guardianships, submitted the following report:

MR. SPEAKER:

Your select committee appointed to devise a better system for the speedy settlement of estates and guardianships, beg leave to report that they have given the matter due consideration, and they submit herewith a bill which in their judgment is calculated to afford the relief demanded.

The bill referred to in the foregoing report was numbered House Bill No. 480, entitled "A bill establishing probate courts in the several counties of this State, defining the jurisdiction, powers and duties of the judges thereof, providing compensation therefor, repealing all laws in conflict with the provisions of this act, and declaring an emergency."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Coffman, from the select committee on State board of health, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred House Bill No. 195, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Freeman, from the select committee on State board of health, submitted the following report:

MR. SPEAKER:

Your special committee on State board of health, to whom was referred House Bill No. 26, by Mr. Foster of Allen, have had the same under consideration and recommend the following amendments, and when so amended we would recommend the passage of the bill:

1. In section 1 line 7 between the words "some" and "school," insert the word "chartered."
2. In section 2 line 13 strike out the word "such," and insert in lieu thereof the word "each."
3. And in same section strike out all after the word "officers" in line 13 to and including the word "days" in line 20.
4. Strike out all of section 3.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Copeland, from the select committee on expenses of State library, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred the investigation of the expenditures of the State Librarian, beg leave to report as follows:

We find that expenditures as printed in the report of the State Librarian agree with the books of the librarian, and herewith hand the statement of the expenses since the date of the close of said report, viz., October 31, 1876, amounting to \$5,718.99, which includes the cost of preparing the Hall of Representatives and Senate Chamber for the present session.

We also find the law governing the powers and authority of the librarian very indefinite, as to the number or salary of his assistants, and while we believe he has employed more assistants than is really

necessary to do the work and has paid exorbitant salaries for such work, yet he has simply followed the action of his predecessors, and he is entitled to the thanks of the General Assembly and the people of the State for not employing a greater number of assistants and allowing them a large salary.

And while we believe it impossible to limit the expenditures for repairs and the purchase of articles needed, yet we believe it possible to enact a law that will prevent the paying of exorbitant charges for repairs or prices for articles purchased, and to definitely state what number of assistants he shall have and the salary they shall be allowed, and therefore offer the accompanying bill to that effect, saving to the State \$2,300 per annum in the matter of salaries alone. And that the committee on ways and means are hereby requested to make an appropriation in the specific appropriation bill as follows:

For salary of librarian.....	\$1,200
For salary of janitor.....	730
For salary of night watchman.....	730
Assistant librarian during the session of the General Assembly	80

Statement of the expenses of the State Librarian for the fiscal year beginning on the first day of November, 1876, by item:

William S. Sproule—Assisting Janitor at State House for for the month ending October 31.....	\$ 70 00
John Taylor—Services as night watch at the State House for month ending October 31.....	80 00
M. Killiam—For services as janitor at the State House for the month ending October 31.....	90 00
Miss Maggie Fitzgibbon—For services at State House and State Library for the month ending October 31..	80 00
O. B. Gilkey—To repairs on skylights at State House....	7 89
To material and work on north room of State House	16 00
W. P. Hathaway—One volume Annual Cyclopædia for for 1875.....	6 00
John Flagherty—For cleaning cellar and screening coal at State House.....	16 00
Jacob Davis—To sweeping State House chimneys.....	5 00
J. D. Sarnighausen—To subscription Indiana Statte Zei- tung, from January 4, 1876, to January 4, 1877.....	4 00
George W. Pitts—To ice used at State House from May 10 to November 18, 1876, (this includes all used dur- ing the entire season).....	75 00

B. Pottage—To 5 padlocks with chains for State House gates.....	\$3 00
Albert Gall—To 4 yards oil cloth at \$1.25 for Library room.....	5 00
To 26 pieces of extension paper at 25 cents.....	6 50
To 7 pieces of border at 50 cents.....	3 50
To 11 pieces of tint at 25 cents.....	2 75
To hanging and sizing the same.....	8 00

These items above are for Library and Agricultural rooms.

For taking off varnished paper and scraping walls of Senate Chamber.....	63 50
156 yards of tapestry at \$1.35.....	211 60
To sewing and laying the same.....	15 68
53 yards of tapestry.....	75 00
For sewing and laying same.....	5 58
89 yards of ingrain carpet at \$1.15.....	103 31
Sewing and laying the same.....	8 91
17 $\frac{3}{4}$ yards body Brussels, used in the stands used by the President of the Senate and the Speaker of the House, at \$2.25.....	39 95
Sewing and laying same.....	1 78
193 $\frac{3}{4}$ yards ingrain at \$1.15.....	222 75
Sewing and laying.....	19 37
648 yards lining at 15 cents.....	97 20
127 yards matting at \$1.00.....	127 00
Laying same.....	12 70
Décorating Senate Chamber.....	334 70
38 pieces of paper at 20 cents... ..	7 60
6 borders at 75 cents.....	4 50
14 pieces paper at 20 cents.....	2 80
Hanging and sizing.....	12 00
William Killiam—For serving as janitor at State House month ending November 30.....	90 00
John Taylor—For services as night watchman at State House for month ending November 30, 1876.....	80 00
Miss Maggie Fitzgibbon—For services at State Library for month ending November 30, 1876.....	80 00
William S. Sproule—For services as assistant janitor at State House for month ending November 30, 1876.	70 00
J. C. Worstan & Co.—To parts 1, 2, 3, 4 and 5 of the Illustrated Catalogue International Exhibition 1876...	2 50

H. B. Carrington—To Battles of the American Revolution	\$6 75
John Flagherty—To 12 days wheeling coal into cellar.....	30 00
To 6 days washing desks in House and Senate Cham- bers, and scrubbing floors of same.....	15 00
H. Hurwitz—To furnishing and setting 12 lights of glass 14x20 in State House, at 50 cents.....	8 50
The Evening News—To subscription from June 12, 1876, to June 12, 1877.....	5 00
Albert Gall—To decorating House of Representatives.....	563 10
217 yards carpet, at \$1.35.....	293 95
Sewing and laying same, at 10 cents.....	21 70
636 yards cocoa matting, at \$1.....	636 00
210 yards webbing, at 8 cents.....	16 80
513 yards lining, at 15 cents.....	76 95
Laying 636 yards matting, at 10 cents.....	63 60
20 pieces of paper, at 50 cents.....	10 00
3 borders, at \$1.....	3 00
20 yards paper, at 50 cents.....	10 00
3 borders, at \$1.....	3 00
15 yards paper, at 25 cents.....	3 75
1 cocoa mat	1 75
12 yards oil cloth, at 90 cents.....	10 80
To putting down.....	1 00
Hanging paper	15 25
To 4 yards oil cloth, at \$1.....	4 00
Water Works Co—Water rent for three months ending December 20, 1876.....	6 00
William Harker—To painting in House and Senate Chambers, and graining and varnishing.....	83 14
William I. Ripley—Matches, soap and brooms.....	19 00
O. B. Gilkey—To material and work done in State House, resetting and repairing seats.....	11 95
Louisville Courier-Journal—To subscription Daily Cou- rier-Journal, July 1, 1876, to January 1877.....	6 00
McOuat, Foote & Co.—To repairing stoves, roof, etc.....	371 72
Ezekiel & Horowitz—One-half dozen water pitchers.....	4 00
One dozen tumblers.....	1 00
John A. Myers—To one feeder in stove, \$7.00; new machinery \$2.00; blacking and setting stove, \$2.00; 20 lbs. Russia pipe, \$7.00; two elbows, \$1.00; setting up pipe.....	20 50

E. B. Martindale—To subscription Indiana Journal from January 1, 1877, to July 1, 1877.....	\$6 00
Indianapolis Gas Light & Coke Co.—To gas used at State House for three months ending December 20, 1876.	150 00
Walter Bacon—To one set Knight's Mechanic's Diction- ary, 3 volumes.....	24 00
George Hoffman—Lumber and carpenter work on State House steps.....	7 00
William Wood & Co.—To vol. 7 Zuinssen Cyclopædia of the Practice of Medicine.....	6 00
J. C. Dunn—Repairs on urinal valves	2 25
One porcelain urinal.....	8 00
To repairing ten water-closet valves.....	10 00
1 new water-closet valve.....	3 50
Bolts and clamps, sand paper.....	4 00
Thawing pipes with steam.....	8 00
31 lead pipes at 12 cents.....	3 72
1 water-closet pull.....	1 25
To thawing pipe with steam.....	9 50
15½ solders at 30 cents.....	4 65
431 sheet lead at 15 cents.....	64 65
White lead and putty for closet.....	2 50
1 one inch round way lever.....	3 50
Nails and screws.	1 00
Thawing pipes with steam.....	4 50
21 days labor and plumber at \$7.00.....	147 00
John Myers—To 1 stove for State House.....	40 00
To 1 coal bucket.....	1 00
To 4 dust pans.....	1 20
To 2 shovels.....	1 50
To 1 zinc pan for stove.....	1 65
To 1 Russia iron pipe and elbow.....	7 50
To 1 common pipe.....	2 50
To putting up stove and pipe.....	3 75
To flange around pipe.....	75
C. A. Moffit—2 glass in case for Prof. Cox's room.....	5 00
Silver vase.....	75
Putting in same.....	3 00
Drayage.....	75
H. Daumont & Co.—To 2 mirror plates for Senate	3 20

Albert Gall—To covering 3 stands House Representatives.	13 00
To covering 50 desks Senate.....	93 75
J. C. Yorston & Co.—11 Nos. Illustrated Catalogue.....	5 50
Lambert Krumholtz—To cleaning privy vaults at State House, 12 loads.....	80 00
Water Works Co.—For water rent for month ending January 20, 1877.....	28 50
Courier-Journal Co.—For subscription Courier-Journal from January 10, 1877, to January 10, 1878.....	12 00
Maggie Fitzgibbon—For services at State Library for month ending January 31, 1877.....	80 00
John Taylor—For services as night watchman at State House for month ending January 31, 1877.....	80 00
W. S. Sproule—To services assisting janitor at State House for month ending January 31, 1877.....	70 00
John A. Myers—To repairing roof and north wing of capitol.....	75 25

The bill referred to in the report being entitled "A bill describing the powers, duties and salary of the State Librarian, and the number, duties and salary of his assistants, and other matters pertaining to economical management of State Library, and expense of State House and grounds, and repealing laws and parts of laws in conflict therewith, and declaring an emergency," was numbered 481.

Which was read a first time and passed to a second reading on to-morrow.

By unanimous consent, Mr. Wells, from the committee on trust funds, submitted the following report :

MR. SPEAKER:

Your committee on trust funds, to whom was referred House Bill No. 288, entitled "An act authorizing the Treasurer of State to close the account of the five per cent. fund," have had the same under consideration, and direct me to report it back to the House and recommend that the same be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

By unanimous consent, Mr. Swayzee, from the committee on trust funds, submitted the following report :

MR. SPEAKER:

Your committee on trust funds, to whom was referred House Bill

No. 298, entitled "An act concerning the 'three per cent. fund' and the disposal thereof," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same do pass.

Which report was concurred in and the bill ordered to be engrossed.

By unanimous consent, Mr. Scott, from the committee on prisons, submitted the following report:

MR. SPEAKER:

Your committee on prisons submit the following report:

Acting under the authority of this body they procured services of a competent book-keeper and accountant in the person of Wm. M. Hess, of Hendricks county, who accompanies the committee as clerk, and made a thorough examination of the books, contracts and vouchers on file in the offices of the clerks of the prisons. On the 24th day of January, your committee repaired to Michigan City, at which place it arrived late in the afternoon and took quarters for the night at one of the hotels of the city. Next morning the committee visited the prison and found all the members of the board of directors present, who, together with the warden, rendered the committee all the assistance in their power by showing it around and through the prison, and imparting such information as was necessary to a complete and thorough acquaintance with the general management of the institution.

The law provides that "the directors shall in turn every two weeks, and in company every two months, attend at the State prison, inspect the warden's accounts, the different apartments of the prison, and the condition of the prisoners."

We find that this provision of the law has not been implicitly obeyed, but that the directors say they generally had a meeting once a month. Your committee spent considerable time in going over the prison grounds and through the different workshops of the contractors; we also visited the cell house, cook house, dining room, store rooms and the various other departments of the prison buildings; we also examined the quality and inquired as to the quantity of the food furnished the convicts.

Your committee also mingled among and talked with a great number of the prisoners about their condition and treatment, and while your committee believe that a rigid discipline is probably advisable and necessary in most cases to the successful government

of a large number of men, a majority of whom are of immoral and vicious habits, yet your committee are constrained to say that from the evidence we heard on that subject, that in some cases the punishment for misconduct has been very severe. We heard the sworn testimony of a number of convicts, also of a number of reputable persons on this and other matters connected with the prison government. In the case of one Burke, who some time last fall disobeyed orders and struck one of the prison guards with his fist, knocking him down, and who, after having gone into his cell when so ordered, he in the meantime making threats as to his intentions in the event any one should attempt to enter his cell for the purpose of removing him therefrom, it was proven that one of the guards fired a pistol into the cell where the prisoner was; the water-hose was then brought into requisition and a two-inch stream of artesian water was turned on the prisoner, the water being thrown with sufficient force to knock a man down when several feet distant from the hose, and that this was kept up until the prisoner was almost suffocated and drowned; that the prisoner was then taken to the room of the deputy warden where he was made to strip naked to the waist and then to kneel upon the floor, in which position he was whipped by the deputy warden with the "cat-o'nine tails" until his back was terribly lacerated, and until the prisoner was perfectly exhausted, and in a fainting condition fell upon the floor. After he had sufficiently recovered he was carried or helped out to the dungeon cell, where he was placed with his wet clothes on, and kept without blanket or bedding of any kind, his back lacerated and bleeding, and his body and mind being in a terrible state of exhaustion, for a period of ten days and nights without having his wounds dressed, and nothing to eat save cornbread and water. At the end of ten days he was given a bed and blanket, but was kept in the dungeon for seventeen days and nights. Although this man Burke is a vigorous, healthy man to-day, yet the scars from that whipping inflicted several months ago are plainly visible, some of them being several inches long. At the request of the committee he removed his shirt to enable us to judge of the truthfulness of his statement in reference to the severity of his punishment.

Another case was that of a convict by the name of Stineberger, quite an old man, who during the recent bitter cold weather was detailed to work outside of the prison yard; his clothing being coarse and thin, and having no underclothing or mittens, he suffered terribly with the cold and finally refused to work out in the

cold without underclothing and mittens; he said he was willing to do the work if he was clothed so he could stand the cold; being notified that he could procure the necessary clothing by going after it, he refused to do so, and still refusing to work was stripped to the waist and severely "catted," as was evidenced to your committee by the prisoner removing his shirt and exposing the scars on his back yet plainly visible.

Your committee might mention other cases of a similar nature or character which was brought to its notice, but will not engage in the repetition of the recital of the method and extent of a punishment which, to characterize it as mildly as possible, your committee thinks was and is unnecessarily cruel and severe.

The convicts made a great deal of complaint about the quantity and quality of the food furnished them. After a thorough investigation of the matter, your committee are satisfied that the complaints of the convicts were not entirely groundless. We found that the coffee (so called) given to the prisoners once a day is a concoction of burnt rye, parched corn and charcoal, or something else equally as worthless. The Warden's "bills" show that the coffee already browned and ground is purchased at the very low price of ten cents per pound, at which price we think there is a large margin for profit. Coffee made out of such material and served without sugar or milk cannot be palatable, neither is it possessed of nourishing or strengthening qualities.

It was proven by the prisoners, also the Directors and Warden, that the fresh beef usually issued to the prisoners was of an inferior quality, composed in part of bull-neck rump pieces, and the fleshy part of cow heads. The Warden's vouchers show that most of the "beef" was bought at three cents per pound. Dr. Henry A. Stonex, Prison Physician, testified that at one time last summer the beef issued to the prisoners was so inferior in quality that he ordered that it be discontinued for a time. It was shown to your committee that large rations of corn bread and hominy were issued to the prisoners who were not allowed to carry away from the dining room any part of such rations as were not eaten. The hominy is cracked corn, boiled in clear water and served without any seasoning except as the prisoners salt it. This cooked corn, or hominy and corn bread, makes excellent hog feed. The testimony of the Warden was that he received the benefit of the "leavings" from the table, which he feeds to his hogs, and that the same would feed about sixty head of hogs per year. Estimating sixty head of

hogs at an average weight of 300 pounds, at \$6.00 per hundred pounds, makes the handsome sum of \$1,080, less the first cost of hogs, as one of the perquisites of the Warden's office.

The prisoners made a great deal of complaint because they are not allowed to make overwork, as they were formerly permitted to do. As there are seemingly strong arguments both in favor of and against the system of overwork, your committee think that it is a matter to be left to the directors, warden and contractors.

Your committee heard much complaint from the prisoners on account of not being furnished with lights of any kind to read by, and because they are not permitted to read any of the political newspapers and periodicals of the day, and are of the opinion that it is an unnecessary restriction to deny the prisoners the pleasure of reading any respectable newspaper or periodical that their friends might send them or that they might purchase with their own means.

Your committee also report that in their opinion the practice of shutting up the convicts in their cells from 5 o'clock in the evening until 7 o'clock in the morning, without any lights, and consequently deprived of any means of occupying their hands or minds, is in every respect reprehensible. We therefore recommend that the wardens be compelled to issue to each convict at least three common star candles each week during the months of January, February, March, April, May, September, October, November and December and that the prisoners be permitted to receive, purchase and read respectable newspapers and periodicals.

Your committee take pleasure in reporting that in most particulars they found the prison in good condition, the grounds, walls and buildings all being in good condition, while the cell house, guard rooms, dining room and other departments were scrupulously clean and in perfect order. The shops where the convicts work are generally well ventilated, warmed and lighted. In the case of the steward, George McDonell, it was proven to the satisfaction of your committee that he is addicted to an excessive use of ardent spirits, several persons testifying that he was drunk at least half the time. As this is a positive violation of law, we recommend that he be discharged from the said office of steward.

It affords your committee great pleasure to report that the books, accounts, contracts and vouchers in the custody of the Clerk, Mr. John H. Bowes, were found to be in good order, pride that the Prison is self-sustaining, and we congratulate the State, also the officers in charge, that such is the case.

The vouchers on file in the Clerk's office show that the supplies have all been purchased at very reasonable rates, while the expenditures on account of building and repairs all appear to have been judiciously made.

Early in the present session of the Legislature, an article appeared in one of the public prints of the city of Indianapolis, on "Our Penal Institutions," from which article it appeared that a discrepancy of several thousand dollars existed in the reports of the Auditor of State and the Warden of the Northern Prison, for the year 1875. It may be well to state that while both reports are made to and do include the transactions of an entire year, still they do not embrace the same periods—the report of the Auditor of State being made for the year ending on the 31st day of October, while that of the Warden is made for the year ending on the 15th day of December, a period of one and one-half months embraced in one report that is not included in the other.

In the report of the Auditor of State for 1875, page 22, the amount paid for current expenses and salaries for 1875, is given as \$88,220.30, while the report of the Warden for 1875 shows that the total expenditures (current) were \$63,869.02, a difference of \$24,351.28. It must be remembered that the report of the Warden does not include the salaries paid the Warden, Deputy Warden, Clerk and Moral Instructor, also, all the Directors; these officers being paid directly from the State Treasurer through the office of the Auditor of State, the account is not included in the amount of current expenses as given by report of the Warden. During the year the amount paid on account of salaries was \$7,465.09. On account of buildings an amount of \$8,636.12, which was not included in the report of the Warden. The amount of the total expenditures as given in the report of the Auditor of State should be \$88,420.30 instead of \$88,220.30, the difference of \$200.00 being the specific appropriation to Deputy Warden. The amount of the quarterly settlements of the Warden with the Auditor of State, as per quietus in his possession and as shown by the books of the office of the Auditor, is \$72,343.09. If to this be added the amounts paid on account of salaries to-wit, \$7,465.09, and the sum paid on account of buildings to-wit, \$8,636.12, we have the sum of \$88,444.30, or \$24.00 more of an expenditure than is evidenced by the report of the Auditor of State.

Your committee desire to conclude this report by saying that

they believe that the business interest of the Northern Prison are carefully and economically watched.

On motion by Mr. Langdon 200 copies of the report were ordered printed for the use of the House.

By unanimous consent Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 208, entitled "An act relating to the prosecution of felonies not punished with death, and misdemeanors, in the criminal and circuit courts by affidavit and information," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by adding the word "circuit" after the word "criminal" in line 4 of section 1. They further recommend that said bill, when so amended, do pass.

The report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 240, introduced by Mr. Zehring, entitled "An act describing the number of jurors required to find a verdict in civil cases," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same has been improperly referred, and should be referred to the committee on organization of courts.

Which report was concurred in, and the bill referred to the committee on organization of courts.

Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 270, introduced by Mr. Marsh, entitled "An act to amend section 12 of an act entitled 'an act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto, and repealing all laws conflicting with this act,'" approved

March 10, 1873, have had said bill under consideration, and have directed me to report the same back to the House, with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred Senate Bill No. 10, introduced by Mr. Winterbotham, entitled "An act to legalize all acts of notaries public done and performed after the term of office has expired," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do pass.

The report was concurred in, and the bill passed to a third reading.

Mr. Garver, from the committee on judiciary, made the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 237, a bill to amend section 207 of an act entitled "An act to revise, simplify and abridge the rules, practice and pleadings, and forms in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," have had the same under consideration and have directed me to report it back to the House with the recommendation that it be laid on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 250, introduced by Mr. Endsley, entitled "A bill to amend section 1 of an act entitled 'an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free,'" have had the same under consideration, and have directed

me to report the following as their recommendation: That said bill be amended by prefixing to said bill the following preamble, viz :

WHEREAS, By an act of the General Assembly of the State of Indiana, approved March 13, 1875, the following act was repealed, with all the rights and powers of turnpike, macadamized, plank or gravel road companies acquired thereunder, which act so repealed was as follows: "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject," approved March 11, 1867, approved May 14, 1869.

Section 1. *Be it enacted by the General Assembly of the State of Indiana,* That any plank, macadamized or gravel road company organized, or that may hereafter be organized under and pursuant to any act of this State now in force, authorizing the construction of macadamized and gravel roads, having a valid and solvent subscription of at least three-fifths of the estimated cost of construction of said road, such estimate being first made by a competent and disinterested civil engineer, may petition the board of commissioners of the county or counties in which such proposed road or any part thereof is, or may be located, to have assessed the amount of benefit to each tract of land within one and one-half miles of such road, or either side thereof, and within like distance of either end thereof.

Section 2. It shall be the duty of the board of county commissioners of the several counties of this State, at any regular or called session of said board, to appoint three freeholders of the county, one of whom shall reside in each of the several commissioners districts of said county, and whose term shall continue to the end of the term of the commissioner of their respective districts, who shall be termed assessors of benefits to lands under this law, and whose duty it shall be, upon receiving notice from the auditor of the county, to make all assessments under this act: *Provided, however,* If either of the assessors should be the owner of any lands to be assessed, or of kin to the owner of any such lands, or should be interested in any such assessment, the county commissioners may appoint a disinterested freeholder of his district to act in his stead, or if no such appointment shall have been made, it shall then be the duty of the two disinterested assessors to make said assessment.

Section. 3. It shall be the duty of such assessor, on receiving notice from the auditor of county of the filing and granting of the

petition provided for in the first section of this act, after having taken and subscribed an oath of office before some officer authorized to administer oaths, that they will faithfully and impartially discharge their duties as such assessors, to proceed to view all the lands within one and one-half miles of each of such proposed roads, or either end of the same, within their county; to make a list of said lands and assess the amount of benefit that will result to each tract from the proper construction and maintenance of such proposed road, and report the same to the county auditor, in writing, and append thereto their affidavit that the same is correct, just, fair and equitable, according to the best of their judgment and belief, which report shall be kept on file by such auditor, for the examination and inspection of any person concerned. And it shall be the duty of the county auditor to give two weeks public notice by advertisement in a newspaper, if one be published in the county, or if no paper be printed in the county, by advertisement in writing, set up at the door of the Court House and at three of the most public places along said proposed road, of the time and place, when and where such assessors shall meet as a board of equalization, for the purpose of hearing and determining grievances by any person or company on account of such assessment, and said board, or a majority thereof, shall have power to hear and determine the complaint of any company or person feeling aggrieved by such assessment, and to correct the same as right and justice may determine.

Section 4. It shall be the duty of the county treasurer to collect such assessment at the time and in the manner he collects other taxes, in annual installments, as the same may be placed upon his duplicate, and for that purpose the county auditor shall put upon the tax duplicate of each year, commencing with the year in which such assessment is made, if such land has been assessed for one road only, one-third of the whole amount of such assessment. If such land has been assessed for two roads, one-sixth of the whole amount of such assessment. If for three or more roads, one-ninth of the whole amount of such assessment, which amount, when so put upon the tax duplicate, shall constitute a lien on such lands so assessed until paid, and such auditor shall continue the same from year to year until the whole amount has been put upon such duplicate and collected: *Provided, however,* That when such company shall have collected an amount sufficient to construct such road and pay all legitimate expenses, it shall be their duty to notify the auditor of such fact, after which no more of said assessment shall be

placed upon the duplicate or collected by the treasurer, except such a per cent. of the assessment against such lands as the owners thereof shall not at that time have paid their ratable proportion of the entire assessment upon; and it is hereby made the duty of said board of directors, from time to time, to order the collection of such amount of such unpaid ratable proportion as they may deem proper, until all persons against whose lands assessments of benefits have been made and not released under the provisions of this act shall have paid their full proportion of said assessment. All funds thus collected after the completion of the road, for which such assessments were made, shall be applied to the keeping up of repairs.

Section 5. Any person having subscribed and paid any such company any sum of money shall be entitled to a credit on his assessment, as the same falls due for collection, equal to the amount so paid, and the proper receipt of the company, showing such payment, shall be received by the treasurer of the county in the payment of such assessment, and no fees or per cent shall be charged by said treasurer for taking in such receipts, and not more than one per cent. shall be charged for collecting said assessment.

Section 6. Any and all persons having been assessed shall have all the rights and privileges of any other person who has subscribed a like amount, and all persons having paid such assessment, or any part thereof, shall thereby become entitled to a certificate of stock for the same, and have all the rights and privileges of any other person who has paid a like amount on subscription.

Section 7. Before any such company shall be entitled to receive from the county treasurer any money collected on such assessment, the directors thereof, or a majority of the same, shall file with the county auditor a bond, to be approved by him, in a sum equal to the assessment so made, payable to the State of Indiana, conditioned that they will faithfully and honestly apply all moneys by them collected on such assessment to the legitimate objects of said company, and no money collected on such assessment shall be appropriated to the payment of any debts or obligations contracted or entered into prior to the time of making such assessment.

Section 8. Any such company or persons feeling aggrieved by any such assessment, may, without filing an appeal bond, within sixty days from the filing of such assessment, appeal from such assessment to the circuit or common pleas court of the county in which such lands so assessed are situate, and after such appeal shall have been taken, and the papers therein shall have been filed in

said court, either party may have the question of such assessment when and where witnesses may be examined on behalf of said company or person, and the jury may, by direction of the court, be required to review the premises in controversy, and upon such review and the evidence adduced in court, shall re-assess the benefits to such lands, if any there be, and such assessment and report thereof by such jury shall be final between the parties.

Section 9. To constitute an appeal under the provisions of this act, it shall only be necessary for the party desiring to appeal to file with the auditor in whose office said assessment is filed, a written notice of his or her intention to appeal from said assessment, stating therein the particular portion or portions of such assessment he appeals from and the court to which the appeal is to be taken ; and it shall therefrom be the duty of said county auditor to make out and certify a transcript of such notice, and so much of said assessment as may be applicable to said appeal, which transcript shall, by the party appealing, be filed in the office of the clerk of the court to which such appeal is taken, and such appeal shall be deemed to have been taken on the day of the filing of such transcript.

Section 10. Where appeals by different parties are pending in the same court from the same assessment, or where the company shall have appealed from the assessment upon more than one tract of land along the line of her road, the court may, in its discretion, order all of said causes thus pending to be submitted to the same jury at the same time.

Section 11. It shall be the duty of the court, in which such causes are pending, to render separate judgments for or against the parties to each re-assessment, in accordance with the report of the assessment and findings made by the jury, unless for cause shown a new trial should be granted ; *Provided, however*, that the granting of a new trial upon an assessment of benefits to one tract of land shall not, in any manner, affect the rights of parties to assessments of benefits to other tracts of land assessed by the same jury:

Section 12. Where an appeal is taken by the company from an assessment made against lands belonging to persons not residing in this State, or minors resident of the State, it shall be the duty of the said company to give, by publication in some weekly newspaper published in the county where the lands are situated, or if no such newspaper is published in such county, in such paper published nearest thereto, notice that such assessment has been made, that said company has appealed therefrom, and the court to which such appeal

has been taken, for three weeks successively, and upon proof of such notice and default being made by non-resident owner, or minor, the court may either order a re-assessment of said lands by a jury, or affirm the assessment first made; and in either event it shall be the duty of the court, by its order, to make the amount of such assessment a lien upon such lands, and direct the sale thereof by the sheriff, as lands are sold upon judgment at law, for the payment and satisfaction of such assessment and lien: *Provided, however,* That where such appeal by the company affect the lands of minor residents of this State, the court shall, upon that fact being made to appear, continue said cause until the next term of said court, and thereafter shall have power to make the same orders in such cases as are herein provided to be made in case of appeals by a company from assessments of benefits to lands owned by non-residents.

Section 13. In all cases of appeals by such company, provided for by this act, where the assessment upon any tract or tracts of land thus appealed from, shall be reduced, the cost thereof shall be taxed to said company; and in all cases of assessments appealed from by the owner or owners of the lands assessed, when such assessment shall not have been reduced, the cost of such appeal and re-assessment shall be taxed to the owner of said lands, and in all other cases, the judgment for costs shall follow the finding of the jury, as in other cases in said court.

Section 14. The company by her board of directors, at any time after any portion of any assessment of benefits in her favor shall have become a lien upon the lands of the party seeking relief, may, upon satisfactory proof being made to them that such party cannot then, or as such assessment matures, pay the same without seriously endangering his or her homestead, or the maintainance of his or her family, may, in their discretion, give such party further time for the payment of such assessment, or remit to him or her all, or such portion of such assessment as such board of directors may deem proper: *Provided, however,* That whenever such Board shall have exercised, in favor of any party, the powers herein conferred, such board of directors shall cause a certified copy of their order in the premises to be filed with the Auditor of the county in which the lands lie, or, if the same shall have appealed, the said certified copy of said order to be filed in the office of the Clerk of the court to which said appeal was taken, and the collection of such assessment against said party thereafter be governed by the terms and condition of said order.

Section 15. All judgments of any court rendered by virtue of the powers of this act, shall be subject to the same stay of execution and upon the same terms that other judgments at law of the same courts are; and all sales of property, whether real or personal, made by virtue of the judgment or order of any court pursuant to the provisions of this act, shall be without relief from valuation or appraisement laws of this State: *Provided however*, That in the enforcement of the collection of all judgments and orders of sale made and rendered by any court "for benefits," pursuant to the provisions of this act, the rule prescribed in the fourth section of this act, for the government of county treasurers in making collections, as to the amount to be collected in each year, shall govern.

Section 16. Where assessments of benefits have heretofore been made under the laws of this State against lands, and in favor of any plank, macadamized or gravel road company, for an amount or amounts greater than the real benefits resulting from the construction and permanent maintainance of said road, and through mistake, inadvertance or otherwise, have not been appealed from, or where such assessment by mistake, accident or otherwise, may hereafter be made larger than the benefits, and not appealed from within the time prescribed by law, it shall be lawful for such company in whose favor such assessment has been made by order of her board of directors, to remit or release to such party such per cent. of said assessment as will make it equal to the benefits resulting to his or her lands.

Section 17. Where assessors of benefits have under the law in force January 1, 1869, been appointed and qualified, but have not completed their said assessments, the company for whose benefit they have been appointed may either require them to complete their assessment under the provisions of this act, or petition the board of commissioners for the appointment of assessors, and an order of assessment in accordance with the provisions of this act: *Provided however*, That all assessments of benefits made in favor of any company, under the law in force January 1, 1869, in their collection, appeals therefrom, the powers and duties of court, officers and jurors, and parties in relation to said appeals, the expense and manner of collecting such assessments, the applications by the company of the funds arising from such assessments, and all other matters pertaining to such assessments shall be governed by the provisions of this act.

Section 18. That where appeals have been taken, or attempted to be taken under the law repealed by this act, from assessments made under said law, and have by any court been dismissed for the reason that said appeals were not taken within thirty days from the time of making or filing said assessments, or that an appeal bond had not been filed, may, upon motion and notice thereof, by order of said court, be reinstated upon the docket of said court, and when so reinstated, shall in all things be governed by the provisions of this act.

Section 19. It shall be the duty of the several county treasurers and all other officers having charge of the collection of assessments under the provisions of this act, to pay over on demand to the authorized officer or agent of any company, all moneys in his hands belonging to such company, taking the company's receipt therefor, which receipt shall be a sufficient voucher to said treasurer or other officer, in the settlement he may be required by law to make, with reference to the moneys so collected and paid over by him.

Section 20. Any such company heretofore organized, or hereafter to be organized, shall have the right to enter upon the lands adjacent to the road and to construct ditches and drains for the purpose of draining said road, doing no unnecessary damage, and shall have the right to appropriate any earth, timber, gravel or stone belonging to any person, for the construction and keeping in repair of such roads by giving the owner thereof five days' notice of their intentions so to do, when it shall be the duty of said company to select a disinterested appraiser and the owner a second appraiser who, under oath, appraise the same, and should they fail to agree, they shall select an umpire, and when such appraisement is made, said company upon tendering the appraised value thereof to the owner, may at once enter upon the lands and proceed to remove the said material; and should such owner fail or refuse to select an appraiser, as above provided, the said company may select both, and if said owner is not satisfied with such appraisement, he may appeal therefrom to the circuit or common pleas court: *Provided, however,* That such appeal shall not prevent the company from removing and making use of said material.

Section 21. The assessors provided for in the second section of this act, shall receive as a compensation for their service two dollars and fifty cents a day for the time actually employed, to be paid out of the county treasury, on the order of the board of county commissioners.

Section 22. An act authorizing the assessment of all the lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "An act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, when the subscription to such road amounts to at least \$800.00 per mile, and is not sufficient for the completion of the same, and the collection of such assessments: *Provided*, The lands are situated within the county in which such road is located, approved March 11, 1867, and all other acts in conflict with the provisions of this act, are hereby repealed: *Provided, however*, That all rights acquired, and all acts performed in pursuance of the provisions of the above mentioned act, are saved from the effect of this repealing clause, and all companies which have commenced proceedings under said act, may proceed according to the provisions of this act.

Section 23. It is hereby declared that an emergency exists for the immediate taking effect of this act, it shall be in force from and after its passage.

And your committee recommend that said bill be further amended by striking out all after the enacting clause and inserting the following in lieu thereof: That the act approved March 13, 1875, entitled an act repealing an act entitled an act to amend sections 3 and 14 of an act entitled an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free, approved March 6, 1865, approved March 9, 1867, and all the act entitled an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on the subject, approved March 11, 1867, approved May 14, 1869, and declaring an emergency, be and the same is so far as the same repeals said act approved May 14, 1869, hereby repealed, and the said act approved May 14, 1869, set forth in the preamble to this act, be and the same is hereby revived for the purposes and to the extent hereinafter provided.

Section 2. That in every case in which assessments upon lands for plank, macadamized or gravel road purposes had been made prior to the thirteenth day of March, A. D. 1875, pursuant to the

provisions of said act approved May 14, 1869, set forth in the preamble to this act, and such assessments, or any part thereof, have been placed upon the tax duplicate of the county in which the lands assessed are situate, pursuant to the provisions of said act; and the directors of the company upon whose petition such assessments were made have, upon their faith in such assessments and in the belief that the same would be collected and used to defray the expense of the construction of the road of such company, incurred pecuniary liabilities by contracts created, obligations for the payment of money, for work, labor or materials, done and performed, or used, or for money advanced and used in the construction of said road, or any part thereof, or of any toll-house or other necessary appurtenance thereto, such assessments are hereby declared to be valid and binding; and any and all parts thereof remaining unpaid on the said thirteenth day of March, 1875, shall and may be collected, used and applied in the manner and upon the terms and conditions prescribed and provided in the act under and by virtue of which the same were made: *Provided, however*, That this act shall only apply to, and be effective for, those companies and roads owned and held by a majority of the original stockholders thereof at the time when this act shall take effect.

Section 3. It shall be the duty of the Auditor of the proper county to place on the tax duplicate as required by law, and such company had, by its directors, spent money and incurred liability on the faith thereof, and that said road is incomplete, or said liability unpaid, and it shall be the duty of the Treasurer of such county when such assessment is, or may have been heretofore put on said duplicate, to proceed to collect such assessment as required by him by said law of 1869 aforesaid.

Section 4. That turnpike, plank, macadamized or gravel road companies organized after the thirteenth day of March, 1875, shall not be entitled to any of the rights, powers and benefits of the said act revived by this act.

Section 5. It is hereby declared that an emergency exists for the immediate taking effect of this act, therefore this act shall take effect and be in force from and after its passage.

And your committee recommend that when said bill is so amended, it do pass.

The report was concurred in, and the bill, as amended, ordered to be engrossed.

Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred Engrossed Senate Bill No. 25, entitled "An act to legalize the official acts, orders, ordinances, regulations, and proceeding passed, adopted and executed by the board of trustees of the town of Marion, Grant county, Indiana, under and in pursuance of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of officers thereof,' " have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill passed for a third reading.

Leave of absence was granted Mr. Welborn till next Tuesday and to Messrs. Carlton and Askren for to-day.

Mr. Garver, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred House Bill No. 222, introduced by Mr. Hubbard, entitled "An act to amend section 13 of an act entitled 'an act providing for the election and qualification of justices of the peace,' " have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do lie on the table.

The report was concurred in, and the bill laid upon the table.

Mr. Garver, from the committee on the organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on the organization of courts, to which was referred House Bill No. 126, introduced by Mr. Johnson, entitled "An act to furnish justices of the peace with statutes and dockets," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do lie upon the table.

Which report was concurred in and the bill laid upon the table.

Mr. Garver, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 133, introduced by Mr. Fromm, entitled "An act to amend section 6 of an act entitled 'an act to create the Forty-first Judicial Circuit,'" have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

By unanimous consent, Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred Claim No. 4, presented by Mr. Adams, have had the same under consideration, and believing it to have been improperly referred, have directed me to report it back to the House with the recommendation that it be referred to the committee on prisons.

The report was concurred in, and the bill referred to the committee on prisons.

By unanimous consent, Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred the petition of George W. Deitz, praying for assistance in the publication of a history of Indiana, have had the same under consideration, and have directed me to report it back to the House with the recommendation that the prayer be not granted.

Which report was concurred in.

• Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred petition of Dillon Bridges, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be disallowed.

Which report was concurred in, and the claim rejected.

By consent, Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Certain claims presented by parties for labor performed about the State House under direction of the State Librarian, and which have since been adjusted, your committee on claims, to whom they were referred, have directed me to report them back to the House with the recommendation that the State Librarian be allowed to withdraw the same.

The report was concurred in.

By consent, Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred account of Spiegel, Thoms & Co., have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be allowed, and referred to the committee on ways and means, with instructions to place the amount in the specific appropriation bill.

The report was concurred in, and the claim so referred.

By consent, Mr. Rea, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred petition of citizens of Benton county, State of Indiana, in regard to re-embursing said county for money expended in detecting and convicting one James L. McCullough for the crime of murder ; accompanied by a message in relation thereto by the Governor of the State, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be disallowed.

Mr. Hall moved to lay the report on the table.

Which was not agreed to.

The question now recurring on concurring in the report of the committee.

The ayes and noes were demanded by Messrs. Hall and Cole, whereupon

Those who voted in the affirmative were Messrs. Adams, Albert, Austin, Baxter, Branyan, Bumgarner, Carson, Claypool, Coffman, Compton, Conley, Cook, Cooley, Craft, Dannettell, Davis, Elwell,

Foster of Allen, Fromm, Garver, Girton, Guthrie, Harris, Hatfield, Houghton, Hauss, Highway, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Lehman, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Whitehead, Wells, Zehring and Zimmerman—61.

Those who voted in the negative were Messrs. Ames, Butler, Cary, Carr, Cole, Crumpacker, Endsley, Freeman, Gossman, Grubbs, Hall, Henderson, Harper, Hosmer, Hulet, Langdon, Little, Oglebay, Reno, Thomas, Warrum and Mr. Speaker—22.

So the report was concurred in, and the claim rejected.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills and resolutions, to-wit :

Engrossed Senate Bill No. 13. An act to require surviving partners to file inventories and appraisements in the office of the clerk of the court having probate jurisdiction, and to report liabilities of the firm ; requiring surviving partners to file bond ; providing for the appointment of receivers in certain cases, and repealing an act entitled "An act to require surviving partners to file inventories and appraisements in the office of the clerk of the court of common pleas, and to report the liabilities of the firm," approved March 5, 1859.

Engrossed Senate Bill No. 224. An act to create the Forty-second Judicial Circuit, to amend sections 3 and 4 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of court in the Second, Third and Forty-second Circuits, and repealing all laws in conflict therewith, and declaring an emergency.

Engrossed Senate Bill No. 208. An act to amend sections 1 and

2 of an act entitled "An act to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof; for the organization of new companies, and for making annual statements," approved March 11, 1867, and declaring an emergency.

Engrossed Senate Bill No. 201. An act to establish a Superior Court in Allen county, defining its jurisdiction, providing for the appointment, election and compensation of the judges thereof, and other matters connected therewith.

Engrossed Senate Joint Resolution No. 13. A joint resolution instructing our Senators and requesting our Representatives to vote against any bill in Congress loaning the credit of the Government to a railroad company.

Engrossed Senate Bill No. 109. An act to legalize the incorporation of the city of Bloomington, Monroe county, Indiana, and all official acts done by the common council and officers of said city.

Engrossed Senate Bill No. 18. An act to amend sections 550 and 561 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Engrossed Senate Bill No. 45. An act to exempt benefits, claims and interests of the wives, children and dependents of members of Masonic, Odd Fellow and other charitable societies and exempting certain policies of life insurance from the claims of creditors and designating the place where such corporations shall be sued, and providing for changing the names of payees, or beneficiaries as may be agreed upon by the members of such societies or incorporations, and the societies or incorporations of which they are members.

Engrossed Senate Bill No. 113. An act to prevent conductors of freight trains on railroads in this State from obstructing the public highways, declaring such obstructions a misdemeanor, and prescribing the punishment thereof.

Engrossed Senate Bill No. 235. An act providing for the concentration of land records in the office of the Auditor of State, and

prescribing the duties of the Auditor of State in connection therewith, and the appointment of a clerk thereof, and declaring an emergency.

Engrossed Senate Bill No. 85. An act to amend section 250 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,' approved June 18, 1852.

Engrossed Senate Joint Resolution No. 11. A joint resolution instructing our Senators and requesting our Representatives in Congress to vote and use their influence to secure the passage of a law to equalize the pensions granted, and to be granted, to soldiers engaged in the war of 1861, who were discharged by reason of wounds received or disease contracted in the service of the United States in said war, and in the line of duty, and to the widows of such soldiers as have died of such disability.

Engrossed Senate Bill No. 14. An act to amend section 2 and repealing section 39 of an act entitled "An act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, and making appropriations," approved May 13, 1869.

Engrossed Senate Bill No. 20. An act to establish a Superior Court in the county of Cass, defining its jurisdiction, and providing for the election and compensation of the judge thereof, and other matters connected therewith, and declaring an emergency.

And the same are respectfully submitted to the House for its action thereon.

Pending the call of committees for reports, on motion by Mr. Albert, the House adjourned.

AFTERNOON SESSION,

THURSDAY, February 15, 1877.

The House met, with the Speaker in the chair.

By consent of the House, Mr. Lanham, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to which was referred account of Leonidas Sexton for services rendered, mileage, etc., have had the same under consideration, and have directed me to report it back to the House, with the recommendation that it be allowed and included in the specific appropriation bill, by the committee on ways and means.

Which report was concurred in, and the claim referred as therein recommended.

By consent, Mr. Johnson of Dearborn, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred account of Spiegel, Thoms & Co. for \$18.50, have had the same under consideration, and have directed me to report it back to the House, with the recommendation that it be allowed and referred to the committee on ways and means, with instructions to place it in the specific appropriation bill.

The report was concurred in, and the claim so referred.

Mr. Guthrie, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred petition and claim of Houston B. Wagner, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be disallowed.

The report was concurred in and the claim rejected.

Mr. Baxter, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills to whom was referred

Engrossed House Bills Nos. 215, 147, 370 and 346, have examined the same, and have directed me to report to the House that we find them to be correctly engrossed.

Mr. Adams, from the joint committee on public buildings, submitted the following report :

MR. SPEAKER :

The joint committee on public buildings to whom was referred House Bills Nos. 322 and 292, on the subject of building a new State House, have considered the same together with many other bills submitted to them by the Senate on the same subject, and have directed me to report to the House that they were unable to agree upon any bill submitted to them, and that they have compiled a bill from the various suggestions contained in other bills, which bill they ask leave to introduce as a substitute for the others, and recommend its passage.

The bill so reported being entitled "A bill to provide for the erection of a new State House, to elect a Board of State House Commissioners, to raise a revenue therefor, declaring certain acts felonies, and prescribing punishments for the same, and declaring an emergency.

Which was numbered 482, read a first time and passed to a second reading.

Mr. Adams moved that 200 copies of the bill be printed, and that it be made the special order for next Wednesday at 10 o'clock A. M., and at that time be considered in committee of the whole House.

Which was agreed to.

Mr. Thomson of Howard and Miami, from the committee on public buildings, submitted the following report :

MR. SPEAKER :

Your committee on public buildings beg leave to report, in response to concurrent resolution making inquiry as to the State House, that heretofore at the session of the General Assembly in the year 1873, the following concurrent resolution was duly passed and made a part of the record of that General Assembly, to-wit : page 1,068 Senate Journal, 1873 :

"WHEREAS, The necessity exists for the building of a new State Capitol for the State of Indiana ;

"AND WHEREAS, It is the duty of the General Assembly of this

State to use due diligence and economy in the construction of public buildings. Therefore,

“Be it resolved, the House concurring, That this General Assembly do hereby offer and award the sum of two thousand dollars as a premium to any architects who may offer through a committee to the next General Assembly, plans and specifications, including estimate, costs of construction of building, which may be accepted and adopted by this General Assembly as suitable for use in the construction of a Capitol, such award to be made as follows: one thousand dollars for the best plans and specifications so offered; six hundred dollars for the second best, and four hundred dollars for the third best, the State reserving the right to retain and use either or all the plans and specifications for which premiums are paid.

“Resolved, That they advertise as they may deem necessary for said plans and specifications: Provided, however, That the State shall not be liable to any person or persons for the payment of any plans and specifications so furnished, excepting such as may be accepted by the General Assembly.

“The President of the Senate shall appoint three members of the Senate, and the Speaker of the House shall appoint three members of the House, to receive and advertise for such plans; and said committee shall in all things consult and act with the Governor and Lieutenant-Governor in such proceedings.”

The committee, in their printed circular to architects, used the following language:

“The committee do not feel themselves authorized to offer any sufficient premiums for such designs, but they will recommend to the General Assembly that the architect whose design shall be finally adopted shall be employed as the architect of the building, on such usual and reasonable terms as may be agreed, and to this end, they invite each competitor to state his terms in a sealed letter, not to be opened until the General Assembly has chosen. They will also recommend that suitable premiums be paid to those architects whose designs are retained as second and third choice.”

In pursuance of this resolution a joint committee was appointed, consisting on the part of the Senate, of Hon. H. D. Scott, Hon. M. R. Slater and Hon. C. M. Chapman; and on the part of the House, of Hon. D. C. Branham, Hon. L. D. Glazebrook and Hon. Edward King. That after the adjournment of the General Assembly, the said

committee met and duly organized and resolved to visit and examine the capitols located at Springfield, Illinois; Lansing, Michigan; Albany, New York; Hartford, Connecticut; Columbus, Ohio; Nashville, Tennessee and Frankfort, Kentucky. Using the language of committee: They have done this that they might be able to recommend as the best plan, such an one as would combine beauty, durability, convenience and economy, and that their recommendations might have due weight in your final decision.

Acting in accordance with the resolution which created the committee, advertisements were published in leading newspapers throughout the county, asking for the submission of plans and specifications in response to the call of the committee. Eighteen plans were submitted to the committee for their examination and judgment. They spent about four months in the examination of the plans, and at the conclusion of their labors they reported to the General Assembly of 1875 the plan of Charles Eppinghausen, by a majority report, as the first plan; the plan of J. C. Johnson, as the second plan; and the plan of G. B. F. Cooper, as the third plan. A minority of the committee recommend the plan of E. E. Myers as the first plan. These plans were selected by the committee with the view that a future legislature would adopt one of them as the plan for the new State House.

The General Assembly of 1875, to which the committee submitted its report, for reasons satisfactory to itself, did not pass upon the plans with a view to selection, but in order to protect the interests of the State as well as the interests of the competing architects, adopted the following concurrent resolution, to-wit: (House Journal 1875, page 1,299, vol. 2.)

“WHEREAS, The General Assembly has indefinitely postponed the erection of a new State House;

“AND WHEREAS, It is necessary to properly dispose of the plans for a State House now in possession of the State. Therefore,

“*Resolved by the Senate, the House concurring,* That the joint resolution on public buildings cause the four plans recommended to this General Assembly to be deposited in the State Library, with the consent of the owners, to be safely kept by the Librarian, subject to the order of the General Assembly at any future session, that they cause all other plans to be delivered or shipped to their several owners; that they cause their secretary to deliver all books and papers of the State relating to the State House to the safe keeping

of the Secretary of State; that they sell the furniture of their rooms and place the proceeds in the State Treasury; deliver said rooms to the possession of the owner thereof; dispense with the further service of a secretary, and close up their business relating to a State House as soon as possible: *Provided, further, That*, as the General Assembly has not acted on the report of the special committee, nor upon the report of the joint committee of this General Assembly, and the contest is therefore undetermined as to such plans reported by the majority of the committee, nor upon the report of the minority of such committee, that the owner of any one of said plans may, if he so desire, withdraw from such contest, and such withdrawal shall exonerate the State from all liability on account of the same, and that such of said owners as do not withdraw from such contest may perfect any portions of his plans in any particular, by depositing with the State Librarian any additional elevation or plan of any story of such plan, or other drawing with additional specifications and more elaborate details of such plans and specifications: *Provided, That* the original drawings and specifications shall not be withdrawn or substituted, nor shall any additional drawings, plans or specifications, allowed by this resolution, change the order of the contest as reported by such committees before the final action of the General Assembly, but the said owners, until the same is changed, shall have the benefit of said reports in their proper order, to-wit: Charles Eppinghausen, first choice of majority of committee; J. C. Johnson, second choice of majority of committee; G. B. F. Cooper, third choice of majority of committee; E. E. Myers, first choice of minority of committee.

“Which was adopted.”

In pursuance of the action of the committee there was expended in and about the examination of the plans and estimates submitted by the architects, the sum of about three thousand dollars. This amount together with the amount offered to the three architects who should present the three accepted plans, will make the sum of five thousand dollars already expended by the State in and about plans and specifications for State House building, in pursuance of the instructions of the General Assembly of 1873.

By unanimous consent, Mr. Scott offered the following resolution:

Resolved, That it is the sense of this House, that in view of the proceedings heretofore had and taken by the General Assembly of

this State, that it is but just to the architects whose plans were selected by the special committee of the General Assembly of 1873, that their plans should be first examined and that one of said plans should be selected and adopted as the plan for the contemplated State House for this State, and that the plan to be selected should be selected by the House and Senate.

Mr. Scott moved that the resolution and the report made by Mr. Thomson of Miami, be printed and made a part of the special order for next Wednesday.

Which was not agreed to.

The resolution and report were then made a part of the special order without printing.

Mr. Langdon, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 32, entitled "An act defining libel, providing a penalty therefor, repealing all laws in conflict herewith, and declaring an emergency," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be amended by striking out all after the enacting words, and insert in lieu thereof the following: That any defamatory printing, writing, sign, picture, representation or effigy tending to provoke any person to wrath, expose him to public hatred or ridicule, or deprive him of the benefits of public confidence or social intercourse, or designed to blacken and vilify the memory of a deceased person and tending to scandalize and provoke his relations and friends, shall be deemed a libel.

Section 2. Any person who shall make, compose, dictate, print, or write a libel to be published, or procure the same to be done, and any person who shall publish, or shall knowingly aid in publishing a libel, shall be guilty of misdemeanor, and on conviction thereof shall be fined in any sum not less than ten dollars nor more than one thousand dollars, to which may be added imprisonment in the county jail for a period not exceeding three months. But the truth of the libel shall in all cases be a sufficient justification.

Further, that said bill when so amended do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Langdon, from the committee on judiciary submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 327, by Mr. Grubbs, entitled an "An act to amend an act entitled 'an act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws in conflict with this act,'" have had the same under consideration and have directed me to report it back to the House with the following amendment :

Strike out the sixth clause and insert the following :

Sixth. The failure of the husband to make reasonable provision for his family for a period of *one year*.

And that when so amended, the bill do pass.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 217, introduced by Mr. Baxter, entitled "An act to amend section 1 of an act in reference to sheriff's sales," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 35, entitled "An act to facilitate the collections of debts in process," have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No.

257, entitled "An act to authorize the recording of exemplification of land patents of the United States, giving them, when so recorded, the same validity as the original patents," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by inserting the words "patents and" after "that" in line 3 of section 1, and by striking out the words "or copies" in same line. And they further recommend that said bill when so amended do pass.

Which report was concurred in and the bill as amended ordered to be engrossed.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 198, entitled "An act prescribing the rights of widows and children in certain cases, defining the duties of executors and administrators in relation thereto, and repealing all laws in conflict with this act," have had the same under consideration and have directed me to report it back to the House with the recommendation that it do lie on the table.

Which report was concurred in and the bill laid upon the table.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred Senate Bill No. 15, introduced by Mr. Harris, entitled "An act to amend section 258 of an act entitled 'an act to revise and simplify the rules, practice and forms in civil cases in the courts of this State, to abolish distinct forms of action at law,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred Senate Bill

No. 7, introduced by Mr. Moore, entitled "An act legalizing certain judgments rendered without the formal service of process and sales therein," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by adding to section 1 of said bill the following words, viz:

"Provided, That nothing in this act shall prevent any judgment defendant, his heirs or legal representatives from prosecuting any proceedings heretofore instituted, or from instituting within six months after the taking effect of this act any proceeding to set aside such judgment or sale when he has a meritorious defense to the action or some part thereof."

And they further recommended that when the same is so amended it do pass.

The report was concurred in, the amendment ordered to be engrossed, and the bill as amended passed to a third reading.

Mr. Viehe, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred Engrossed Senate Bill No. 43, entitled "An act to amend section 7 of an act concerning mortgages," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in and the bill passed for a third reading.

Mr. Viehe, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred Senate Bill No. 16, introduced by Mr. Moore, entitled "An act to amend section 529 of an act entitled an act to revise simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Mr. Grubbs, from the committee on judiciary, submitted the following minority report:

MR. SPEAKER:

Disagreeing with a majority of the judiciary committee as to the

merits of Engrossed Senate Bill No. 16, I beg leave to submit the following minority report :

Amend said bill by inserting after the word "due" in line 13, page 3, the following: "That no execution has issued on the original judgment, or if issued, has been returned."

And when so amended that said bill do pass.

Which minority report was not adopted.

The majority report was then concurred in, and the bill indefinitely postponed.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 350, entitled "An act providing for the establishment of a Superior Court in Evansville, Indiana, and abolishing the Criminal Court of said county," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended by striking out the emergency clause. And they further recommend that said bill when so amended do pass.

Mr. Garver, from the committee on judiciary, submitted the following minority report :

MR. SPEAKER :

The undersigned, members of the committee on judiciary, dissent from the majority report on Bill No. 350, and recommend that the report of the majority together with the bill be laid on the table.

Mr. Lehman moved the previous question which was seconded by the House and the main question ordered, being on the adoption of the minority report.

The ayes and noes were demanded by Messrs. Garver and Thompson of Elkhart.

Those who voted in the affirmative were Messrs. Ames, Askren, Baxter, Benz, Branyan, Butler, Cary, Carson, Chawner, Claypool, Cole, Conley, Crumpacker, Elwell, Freeman, Garver, Gossman, Guthrie, Harris, Houghton, Henderson, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Union, Kimmell, Koontz, Lane, Leeper, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty,

Oglebay, Priest, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thomson of Elkhart, Wells and Zimmerman—50.

Those who voted in the negative were, Messrs. Adams, Albert, Ashby, Austin, Bumgarner, Carr, Coffman, Collins, Compton, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Foster, Fromm, Girton, Grubbs, Hall, Hatfield, Highway, Harper, Hulet, Johnson of Dearborn, Kennedy of Rush, Langdon, Lanham, Lehman, Marsh, Mathews, Morrison, McGaughey, Paige, Peelle, Perigo, Rea, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan, Zehring and Mr. Speaker—44.

So the minority report was adopted.

The bill and majority report were laid upon the table.

HOUSE BILLS ON THIRD READING.

The Speaker announced House bills on third reading to be in order.

Engrossed House Bill No. 264. A bill to repeal sections 260 and 261 of an act entitled "An act to revise, simplify and abridge the rules of practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity."

Was read a third time.

By unanimous consent, Mr. Viehe made the following motion:

I move to amend the bill by striking out "Vol. 2, Davis' Revision, page 143."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carson, Chawner, Cole, Collins, Conley, Cooley, Copeland, Craft, Dannettell, Davis, Foster of Allen, Fromm, Garver, Girton, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Harper, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kim-mell, Lane, Langdon, Leeper, Lehman, Little, Marsh, Merriman, Moorman, Morgan, Oglebay, Peelle, Priest, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Wells, Yaryan, Zimmerman and Mr. Speaker—56.

Those who voted in the negative were Messrs. Ames, Austin, Carr, Claypool, Coffman, Compton, Cook, Crumpacker, Elwell, Freeman, Gossman, Grubbs, Hatfield, Hauss, Highway, Hosmer, Johnson of Carroll, Kennedy of Rush, Koontz, Lanham, Lockhart, Madden, Mathews, Morrison, McCarty, McGaughey, Paige, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Howard, Whitehead and Zehring—40.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe made the following motion :

MR. SPEAKER :

I move to amend the title of the bill by striking out " of " in line 4.

Which was agreed to.

Engrossed House Bill No. 227. A bill making it a misdemeanor to sell, convey or conceal mortgage chattels in certain cases, and prescribing penalties thereof.

Which was read the third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—90.

Those who voted in the negative were Mes. rs. Hulet, McCarty, Rea and Viehe—4.

So the bill passed, and the Principal Clerk was directed to inform the Senate thereof.

Mr. Branyan moved the following amendment to the title :

MR. SPEAKER :

I move that the title to said House Bill No. 227 be amended to read thus :

“An act making it a misdemeanor to sell, convey, mortgage chattels in certain cases, and prescribing punishment therefor.”

Which was agreed to.

Engrossed House Bill No. 28, entitled “A bill to amend section 1 of an act entitled ‘an act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for violation thereof,’ ” approved February 22, 1871.

Which was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Branyan, Bumgarner, Butler, Cary, Carr, Chawner, Claypool, Coffman, Compton, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Lockhart, Madden, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Peelle, Perigo, Priest, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Zehring and Zimmerman—71.

Those who voted in the negative were Messrs. Benz, Baxter, Collins, Conley, Cook, Cooley, Davis, Fromm, Harper, Langdon, Little, Marsh, Morgan, Oglebay, Paige, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Viehe, Warrum, Yaryan and Mr. Speaker.—25.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Carson moved that the order of business be suspended to permit the committee on judiciary to report on House Bill No. 30.

Mr. Craft moved to lay the motion on the table.

Which was agreed to.

Engrossed House Bill No. 98. A bill to regulate the hanging

of doors to the entrances to theatres, opera houses, public halls, museums, churches, colleges, seminaries and school buildings.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Reno, Sailors, Scott, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Zehring and Zimmerman--84.

Those who voted in the negative were Messrs. Compton, Conley, Cook, Cooley, Crumpacker, Paige, Rea, Riley, Smith, Thomas, Yaryan and Mr. Speaker--12.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Stewart, from the committee on engrossed bills, made the following report:

MR. SPEAKER:

Your committee on engrossed bills has compared Engrossed House Bill No. 248 with the original bill, also Engrossed House Bills Nos. 91, 287 and 352 with the originals, also the several amendments thereto, and do find the same correctly engrossed.

Mr. Lane moved that Engrossed House Bill No. 106, a bill to amend section 4 of an act entitled "An act in relation to the organization of the two Houses of the General Assembly, prescribing the number of officers and employes of each House, and regulating their duties," approved December 23, 1872, Acts of 1872-3, page 33, and declaring an emergency, be taken from the table.

Which was agreed to.

By unanimous consent Mr. Lane offered the following amendment to the bill:

The standing committees of the House, on judiciary, organization of courts of justice, banks, fees and salaries, corporations and insurance companies, shall jointly be entitled to one clerk. The committees on ways and means, claims, railroads, reformatory institutions and federal relations, shall jointly be entitled to one clerk; and the remaining committees of the House shall jointly be entitled to one clerk. Said clerks to be selected by the chairmen of said committees respectfully. The standing committees of the House shall jointly be entitled to one janitor, to be selected by the three clerks provided for in this section, unless a janitor be furnished by parties furnishing rooms.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—91.

Those who voted in the negative were Messrs. Benz, Conley, Fromm and Viehe—4.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

On motion of Mr. Thompson of Elkhart House Bill No. 443 was recommitted to the committee on agriculture.

Engrossed House Bill No. 184. A bill to amend section 1 of an act to provide for the regulation of the running at large of all kinds of domestic animals within the different counties of the State, to provide for the taking up, impounding and selling of all such

animals as shall not be allowed to run at large," approved May 31, 1852.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—90.

Those who voted in the negative were Messrs. Askren, Benz, and Rea—3.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 273. A bill to amend section 7 of an act entitled "An act providing for the organization of county boards and prescribing some of their powers and duties," approved June 17, 1852.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cooley, Craft, Crumpacker, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami,

Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker.—76.

Those who voted in the negative were Messrs. Albert, Ames, Askren, Benz, Collins, Cook, Davis, Foster of Allen, Garver, Hatfield, Hauss, Johnson of Carroll, Johnson of Dearborn, Lehman, Oglebay, Paige, Rea, Stewart and Warrum—19.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 53. A bill authorizing the appointment of students to Purdue University by the board of commissioners of each county, and to provide for the admittance of such scholars and defining their privileges therein.

Which was previously read a third time, came up in its order.

Mr. Kennedy of Rush moved the previous question.

Which was seconded by the House, and the main question ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Cooley, Conley, Crumpacker, Dannettell, Elwell, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Moorman, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Riley, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring and Mr. Speaker—71.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Collins, Cook, Craft, Davis, Foster of Allen, Freeman, Johnson of Dearborn, Kennedy of Union, Kimmell, Lane, Lanhams, Madden, Merriman, Paige, Priest, Rea, Reno, Swayzee, Thompson of Elkhart, Warrum and Zimmerman—25.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Pending House bills on third reading, on motion by Mr. Lehman, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

FEBRUARY 16, 1877.

The House met, with the Speaker in the chair.

On motion by Mr. Scott, the reading of the journal of yesterday's proceedings was dispensed with.

The order of business pending at adjournment yesterday, being

HOUSE BILLS ON THIRD READING,

Was taken up, whereupon, by unanimous consent, Mr. Henderson offered the following resolution, which was adopted :

Resolved, That the secretary and treasurer of the State Board of Agriculture be requested to furnish information to the House of Representatives upon the following subjects :

1. By what authority of law was the eight per cent. five-year coupon bonds issued?
2. When were they issued?
3. What property was pledged as security for the payment of such bonds?
4. In what manner was such security given, by mortgage, deed of trust or otherwise?
5. At what rate were said bonds disposed of, to whom, and by whom are the same held?

Engrossed House Bill No. 245. A bill defining the crime of keeping a bawdy house, prescribing the punishment therefor, and providing that certain persons may be compelled to testify against a defendant prosecuted thereunder.

Was read the third time.

By unanimous consent, Mr. Carlton made the following motion :

I move to amend the bill by striking out the word "indiscriminate" wherever it occurs in the bill.

Which amendment was agreed to.

The question being, shall the bill pass?

Those who voted in affirmative were Messrs. Ames, Ashby, Askren, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton,

Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—88.

No member voting in the negative.

So the bill passed.

The Principal Clerk was ordered to inform the Senate thereof.

Mr. Viehe moved to amend the title of the bill as follows, which was agreed to :

I move to amend the title of the bill to read as follows : "An act to prevent the keeping of bawdy houses."

Engrossed House Bill No. 335. A bill to declare demands against railroads a lien.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—90.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 148. A bill giving the employes of corporations a lien for their work and labor upon the corporate property of such corporations and the earnings thereof, together with the mode of enforcing same, and repealing all laws in conflict therewith.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Carson, Chawner, Claypool, Coffman, Cole, Compton, Cooley, Craft, Crumpacker, Dannettell, Endsley, Freeman, Fromm, Garver, Gossman, Guthrie, Hall, Hauss, Hosmer, Hubbard, Hulet, Kimmell, Lane, Langdon, Lanhams, Little, Lockhart, Marsh, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Priest, Reno, Sailors, Smith, Thompson of Elkhart, Thompson of Miami, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—53.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Cary, Carlton, Carr, Collins, Conley, Cook, Copeland, Davis, Elwell, Girton, Harris, Hatfield, Houghton, Henderson, Highway, Harper, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Lehman, Madden, Mathews, Merriman, Paige, Perigo, Rea, Riley, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Miami, Whitehead and Yaryan—40.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No 153. A bill in relation to plank, gravel and turnpike road companies, to fix the rate of toll thereon in certain cases, to prevent the opening of ways around toll-gates; to provide for injunctions, and fixing and providing for the collection of penalties.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Harper, Hosmer, Hubbard, Johnson of Carroll,

Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—87.

Those who voted in the negative were Messrs. Butler, Carr, Conley, Cook, Houghton, Highway, Hulet, Morgan, Priest, Stewart and Warrum—11.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Koontz moved to amend the title of the bill as follows:

I move to amend the title to read: "An act in relation to plank, gravel and turnpike companies, to prevent the opening of ways around toll-gates, and fixing and providing for the collection of penalties.

Which was agreed to.

By consent of the House, Mr. Reno offered the following resolution:

Resolved, That the committee on elections are hereby respectfully instructed to make a report on House Bill No. 353 by Tuesday morning, February 20, 1877.

Mr. Langdon moved the resolution be laid upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Lehman and Johnson of Carroll.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Garver, Grubbs, Guthrie, Hall, Harris, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Yaryan, Zimmerman and Mr. Speaker—54.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Coffman, Collins, Compton, Conley, Cook

Cooley, Davis, Foster of Allen, Freeman, Fromm, Girton, Gossman, Hatfield, Houghton, Hauss, Henderson, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Worman and Zehring—45.

So the resolution was laid upon the table.

The order of business was resumed.

Engrossed House Bill No. 167. A bill authorizing county commissioners to offer rewards for the apprehension and conviction of horse thieves in certain cases.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Collins, Conley, Cook, Cooley, Copeland, Crumpacker, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Harris, Houghton, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Little, Lockhart, Marsh, Moorman, Morgan, Morrison, Oglebay, Peelle, Perigo, Priest, Rea, Riley, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker.—59.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Claypool, Coffman, Compton, Craft, Dannettell, Davis, Grubbs, Guthrie, Hall, Hatfield, Kennedy of Rush, Lane, Lehman, Mathews, Merriman, McGaughey, Paige, Reno, Sailors, Scott, Spencer, Stewart, Viehe, Welborn and Yaryan—32.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined Engrossed House Bills Nos. 188, 151, 262 and 274, and find the same correctly engrossed.

Engrossed House Bill No. 172. A bill to provide liens in favor of agricultural, horticultural or mechanical associations, and the

enforcement thereof, and for the appointment of a police force for such associations and prescribing its powers.

Which was read the third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merri- man, Moorman, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum Yaryan, Zehring, Zimmerman and Mr. Speaker—91.

Those who voted in the negative were Messrs. Freeman, Priest and Reno—3.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 175. A bill providing for the construction of fish ladders over the dams across the St. Joseph river.

Was read the third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer,

Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—95.

Mr. Thomas voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 235. A bill to enable boards of underwriters incorporated by or under the laws of the State of Indiana, to establish and maintain a fire patrol.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—94.

Mr. Crumpacker voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 339. A bill requiring surviving partners to give bond and security in the settlement of the estates of deceased partners, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft,

Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Perigo, Peelle, Priest, Rea, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—94.

There being no member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

By unanimous consent the title of the bill was amended by striking out the words "and declaring an emergency" therefrom.

Engrossed House Bill No. 365. A bill to amend section 17 of an act entitled "An act defining felonies, and prescribing punishment therefor," approved June 10, 1852.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—96.

Mr. Conley voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bill No. 32, and find the same properly engrossed.

Engrossed House Bill No. 268. A bill making the unlocking or breaking and entering into cars belonging to or in the possession of a railroad company, with intent to feloniously steal, take and carry away any of the goods contained in such cars, a felony, fixing the penalty and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zeltring, Zimmerman and Mr. Speaker—94.

Those who voted in the negative were Messrs. Paige and Stewart—2.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

By consent, the title of the bill was amended by striking out the words, "and declaring an emergency."

Engrossed House Bill No. 256. A bill to amend section one or an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing

penalties for the violation of the provisions of this act," approved December 21, 1865, and adding supplemental sections thereto.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Sailors, Scott, Smith, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—87.

Those who voted in the negative were Messrs. Crumpacker, Elwell, Hall, Riley, Stewart and Thomas—6.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Pending House bills on third reading, on motion by Mr. Morrison, the House adjourned.

AFTERNOON SESSION.

FRIDAY, February 16, 1877.

The House met with the Speaker in the chair.

The Speaker laid before the House the following communication from Attorney General Buskirk, which was referred to the committee on sinking fund without reading:

STATE OF INDIANA,
OFFICE OF ATTORNEY GENERAL,
INDIANAPOLIS, February 15, 1877.

MR. SPEAKER—I have the honor to acknowledge the receipt of a copy of a resolution of the House of Representatives, which was

certified to me on the 12th inst., requesting the Attorney General to furnish the House with information as to the names of parties to whom balances of the Sinking Fund are owing, what notes and bonds of said fund against individuals are still outstanding, and requesting recommendations as to what legislation, if any; would be advisable in the premises.

I would respectfully state that what information I have been able to obtain on the subject, has been from the Auditor and Treasurer of State, the matters of said fund not being in the custody of the Attorney General.

There is a balance of \$2,284.62 in the State Treasury to the credit of the Sinking Fund, which belongs to various parties, or their representatives, whose lands were mortgaged to the fund, and sold by the State for amounts in excess of what was necessary to satisfy the loans. Who these parties are it is impossible for me to inform the House, as there are no records kept from which the information can be had, such parties in many instances, not being the original mortgagors, but their representatives, and to ascertain the names of the original mortgagors is next to impossible, without a thorough investigation of all the books and papers of the Sinking Fund, many of which are stored away in the basement of the State building. This would be a work requiring weeks to accomplish. As the law now is, there is no way of ascertaining the names of the parties to whom such balances of the fund are owing, except as they present their claims properly verified by evidence under the provisions of the law.

I understand a bill is now pending before the Legislature which provides for a better system than there now is for keeping accounts and records of the lands and other property of the State. Some such legislation, in my opinion, would be very useful; under existing laws the records of the lands, etc., of the State are in a very unsatisfactory condition. I would respectfully recommend that there should be a provision for ascertaining the names of the original mortgagors to whom the balances of said fund above mentioned were owing; that this list should be published; that a prescribed period should be given for the heirs or representatives of such mortgagors, as well as such mortgagors, to present their claims in, and that at the expiration of such period the remaining balances should be turned into the general fund, subject only to legislative appropriations for the purpose of the further payment of said balances. In most instances it is probable that such balances belong to heirs who

are ignorant of the existence thereof. The said moneys do not justly belong to the State, and often belongs perhaps to widows and orphans of deceased mortgagors. I respectfully suggest, therefore, the propriety of some such provision as I have indicated above, as an act of justice on the part of the State.

Very respectfully submitted :

C. A. BUSKIRK,
Attorney General.

The committee on engrossed House bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bill No. 150, and find the same correctly engrossed.

Engrossed House Bill No. 238. A bill for the suppression of the traffic in and circulation of obscene literature, and prescribing punishment for its violation.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Askren, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kimmell, Koontz, Lane, Lanham, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—78.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Messrs. Cooley and Stewart were granted leave of absence for the afternoon.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have compared Engrossed

House Bill No. 327 with the original bill, and direct me to report that it is correctly engrossed.

Engrossed House Bill No. 147. A bill to amend section 20 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Laugdon, Lanham, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Ogleby, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—83.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The committee on engrossed bills submitted the following report.

MR. SPEAKER:

The committee on engrossed bills report that they have examined Engrossed House Bills No. 234, 454, 473, 333, 244, and find the same correctly engrossed.

Mr. Carlton moved to reconsider the vote by which Mr. Reno's motion requesting the committee on elections to report on House Bill No. 353, was laid upon the table this morning.

Mr. Yaryan moved to lay the motion to reconsider on the table.

The ayes and noes being demanded by Messrs. Carlton and Johnson of Carroll.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Bumgarner, Cary, Carr, Carson, Chawner, Cole, Copeland,

Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Garver, Grubbs, Hall, Harris, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Yaryan, Zimmerman and Mr. Speaker—50

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Claypool, Coffman, Collins, Compton, Conley Cook, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Houghton, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Viehe, Warrum and Zehring—43.

So the motion to reconsider was laid upon the table.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed House bills have compared Engrossed House Bills Nos. 125 and 404 with the original bills and find them to be correctly engrossed:

Engrossed House Bill No. 215. A bill to amend section 468 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carr, Carson, Chawner, Claypool, Cole, Collins, Conley, Cook, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thompson of Howard,

Thompson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Coffman, Compton, Crumpacker, Davis, Foster of Allen, Johnson of Dearborn, Rea, Reno, Riley and Spencer—10.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have compared House Bills Nos. 397 and 379 with the original bills and find the same correctly engrossed.

Engrossed House Bill No. 248. A bill fixing a time for electing a State Librarian, the Directors of the State Prisons North and South, Trustees of the Deaf and Dumb, Insane and Blind Asylums, also, of the Soldiers' Orphans' Home, and a President of the Joint Board of Trustees of the Benevolent Institutions.

Was read a third time.

By unanimous consent, Mr. Viehe made the following motion :

I move to amend this bill as follows :

In section 1, strike out all after the words "purpose of electing," and insert in place thereof the following: "The officers to be elected by the two Houses in joint convention at the then session, except United States Senator."

2. In section 2, strike out "named in this act."

Which was agreed to by the House.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Baxter, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thompson

of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warum, Yaryan, Zehring, Zimmerman and Mr. Speaker—83.

Those who voted in the negative were Messrs. Albert, Austin, Benz, Foster of Allen, Fromm, Lehman and Spencer—7.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe moved to amend the title of the bill as follows :

I move to amend the title of the bill to read as follows : An act to prescribe the time and manner of electing officers by the General Assembly in joint convention.

Which motion was agreed to.

Mr. Lane, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills, have examined the engrossed copy of House Bill No. 396, and find it a true engrossment of the of the original, but your committee find that the original contained no enacting clause.

On hearing which report, by unanimous consent the House authorized the insertion of an enacting clause.

Mr. Chawner, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills find that House Bill No. 355 omits after the enacting clause, the following : " That section 1 of the above entitled act be amended to read as follows, to-wit : Section 1," and that the bill is correctly engrossed.

Which report was concurred in.

Engrossed House Bill No. 34. A bill authorizing boards of county commissioners to construct gravel, macadamized, or paved roads, upon petition of a majority of resident land owners along and adjacent to the line of any road authorizing them to issue bonds of the county, to raise money required for that purpose and to provide for the payment of such bonds by taxing lands adjacent to the road, repealing all laws inconsistent herewith, and declaring an emergency, having previously been read a third time, came up in its order.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert,

Ames, Austin, Baxter, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Hall, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Moorman, McCarty, Peelle, Perigo, Sailors, Scott, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—70.

Those who voted in the negative were Messrs. Ashby, Cook, Harris, Lane, Lanham, Marsh, Merriman, Morgan, Morrison, McGaughey, Oglebay, Paige, Priest, Rea, Reno, Riley and Smith—16.
So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

By unanimous consent the title of the bill was amended by striking out the words "and declaring an emergency."

Engrossed House Bill No. 309. A bill concerning the release of sureties upon retailers' bonds, providing for the giving of new bonds and for the revocation of retailers' licenses in case the same are not given.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Morgan, McCarty, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Spencer, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring and Mr. Speaker—71.

Those who voted in the negative were Messrs. Ames, Baxter, Carr, Carson, Claypool, Crumpacker, Elwell, Fromm, Hosmer,

Hubbard, Kennedy of Union, Kimmell, Lane, Moorman, Morrison, Scott, Smith, Thomas, Thompson of Elkhart and Zimmerman—20.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 314. A bill to amend sections 1, 11 and 12, of an act entitled "An act to exempt property from sale in certain cases," approved February 17, 1852.

Which was read the third time.

Mr. Carlton moved to recommit the bill to the committee on judiciary with the following instructions:

I move that the bill be recommitted to the committee with instructions to amend the same so that there will be no repeal of the pre-exemption law as to debts heretofore contracted.

Mr. Kennedy of Rush moved to lay the motion to recommit upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Kennedy of Rush and Lehman.

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Bumgarner, Cary, Carr, Chawner, Claypool, Coffman, Cook, Copeland, Craft, Elwell, Foster of Allen, Fromm, Gossman, Grubbs, Hatfield, Houghton, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Lanham, Leeper, Lehman, Little, Madden, Marsh, Merriman, Moorman, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Smith, Spencer, Thomas, Whitehead, Wells, Zimmerman and Mr. Speaker—52.

Those who voted in the negative were Messrs. Albert, Austin, Baxter, Benz, Branyan, Carlton, Cole, Collins, Compton, Conley, Crumpacker, Davis, Endsley, Foster of Monroe, Garver, Girton, Hall, Harris, Hauss, Henderson, Hosmer, Johnson of Dearborn, Koontz, Langdon, Leeper, Lockhart, Mathews, Morgan, McCarty, Priest, Rea, Sailors, Scott, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Yaryan and Zehring—39.

So the motion to lay the motion to recommit on the table prevailed.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Baxter, Benz, Carson, Chawnor, Coie, Compton, Craft, Foster of Allen,

Fromm, Garver, Grubbs, Harris, Houghton, Hauss, Henderson, Harper, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kimmell, Lane, Leeper, Lehman, Little, Lockhart, Marsh, Moorman, Morgan, McGaughey, Oglebay, Peelle, Priest, Reno, Thomas, Thomson of Elkhart, Thomson of Howard, Whitehead, Wells, Zehring and Zimmerman—42.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Askren, Austin, Branyan, Bumgarner, Cary, Carlton, Carr, Claypool, Coffman, Collins, Conley, Cook, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Girton, Gossman, Hall, Hatfield, Highway, Hosmer, Johnson of Dearborn, Kennedy of Union, Koontz, Langdon, Lanham, Madden, Mathews, Merriman, Morrison, McCarty, Paige, Perigo, Rea, Riley, Sailors, Scott, Smith, Thomson of Miami, Viehe, Yaryan and Mr. Speaker—49.

So the bill was lost.

Engrossed House Bill No. 266. A bill to amend section 1 of an act entitled "An act to exempt property from execution in certain cases," approved February 17, 1852.

Heretofore read the third time, came up in its order.

Mr. Adams moved the previous question.

Which was seconded by the House, and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Baxter, Carlton, Craft, Foster of Allen, Hall, Harper, Hulet, Marsh, Morgan, Peelle, Thompson of Howard, Thompson of Miami, Wells and Yaryan—15.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Carey, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hatfield, Houghton, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Thomas, Thompson of Elkhart, Viehe, Whitehead, Zehring, Zimmerman and Mr. Speaker—75.

So the bill was lost.

Mr. Lane was granted leave of absence till Tuesday morning.

Engrossed House Bill No. 345. A bill to fix the time for holding the terms of the Circuit Court in the Twenty-third Judicial Circuit, composed of the county of Tippecanoe.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Momroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—87.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 346. A bill to fix the time for holding the term of the Superior Court of Tippecanoe county.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Mathews, Merri- man, Moorman, Morgan, Morrison, McCarty, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Thomas,

Thompson of Elkhart, Thomspson of Howard, Viehe, Whitehead, Wells, Zering, Zimmerman and Mr. Speaker—76.

Mr. Garver voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The committee on engrossed bills submitted the following report :

MR. SPEAKER:

Your committee on engrossed bills, to whom was referred Engrossed House Bills Nos. 26, 195, 208, 229, 270 and 284, desire to report that they have examined the same, compared them with their originals and find them correctly engrossed.

Engrossed House Bill No. 352. A bill to amend an act entitled "An act authorizing the appointment of short-hand reporters for certain courts of record in this State, (in counties containing a population of 70,000 or more), and prescribing the duties and compensation of such reporters," and declaring an emergency.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Claypool, Cole, Compton, Conley, Copeland, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Fromm, Garver, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hubbard, Kennedy of Rush, Koontz, Leeper, Lehman, Madden, Marsh, Mathews, Moorman, Peelle, Perigo, Sailors, Smith, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Zimmerman and Mr. Speaker—45.

Those who voted in the negative were Messrs. Ames, Ashby Baxter, Carr, Carson, Chawner, Coffman, Collins, Cook, Crumpacker, Davis, Girton, Gossman, Houghton, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Little, Merriman, Morgan, Morrison, McCarty, Oglebay, Paige, Rea, Reno, Riley, Scott, Spencer, Thomas, Viehe, Wells and Zehring.—39.

So the bill failed for want of a constitutional majority.

The committee on engrossed bills submitted the following report :

MR. SPEAKER:

Your committee on engrossed bills have examined House Bill No. 250, and find the same properly engrossed.

Engrossed House Bill No. 370. A bill to amend section 1 of an act approved February 2, 1855, entitled "An act to amend an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

. Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Smith, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—85.

Mr. Carr voted in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Cole entered a motion to reconsider the vote by which House Bill No. 352 was lost.

Pending House bills on third reading the House, on motion by Mr. Spencer, adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING,

FEBRUARY 17, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. W. H. Vandoren, of Chicago.

On motion by Mr. Yaryan the reading of the journal was dispensed with.

Leave of absence until Monday afternoon was granted Messrs. Hubbard, Claypool and Scott, and until Tuesday to Mr. Rea.

Mr. Thompson of Howard presented a petition of citizens of Howard county in regard to a quail law.

Which was referred to the committee on rights and privileges without reading.

The order of business pending at adjournment yesterday afternoon being House Bills on third reading, was resumed.

Engrossed House Bill No. 471. A bill to amend sections 1 and 3 of an act entitled "An act to provide for the relocation of county seats, and for the erection of public buildings in counties in case of such relocation," approved February 24, 1869.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Coffman, Cole, Collins, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Guthrie, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring and Zimmerman—84.

Those who voted in the negative were Messrs. Carr, Compton, Garver, Hall and Mr. Speaker—5.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 91. A bill requiring county auditors to make assessors' book and road list, providing compensation therefor, and declaring an emergency.

Was read a third time, and on motion of Mr. Kennedy of Rush, laid upon the table.

Engrossed House Bill No. 352. A bill to amend an act entitled "An act authorizing the appointment of short-hand reporters for certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing the duties and compensation of such reporters," and declaring an emergency.

Which failed yesterday for want of a constitutional majority, was called up by Mr. Carlton.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Benz, Branyan, Bumgarner, Carlton, Coffman, Cole, Collins, Compton, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Foster of Allen, Foster of Monroe, Gossman, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Johnson of Carroll, Kennedy of Rush, Koontz, Leeper, Lehman, Lockhart, Madden, Marsh, Moorman, McGaughey, Paige, Peelle, Perigo, Smith, Spencer, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan and Mr. Speaker—52.

Those who voted in the negative were Messrs. Ames, Ashby, Baxter, Butler, Cary, Carr, Carson, Chawner, Conley, Cook, Elwell, Freeman, Fromm, Garver, Girton, Guthrie, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Little, Mathews, Merriman, Morgan, Morrison, McCarty, Oglebay, Reno, Riley, Sailors, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Zehring and Zimmerman—40.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

By consent the title of the bill was amended by striking therefrom the words "and declaring an emergency."

Mr. Viehe entered a motion to reconsider the vote by which House Bill No. 471 was passed.

Mr. Craft moved a suspension of the rules to permit the introduction of a new bill.

Which was not agreed to.

Engrossed House Bill No. 143. A bill to amend section 3 and the title of an act entitled "An act fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery," and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Was read a third time.

And on Mr. Yaryan's motion, laid upon the table.

Engrossed House Bill No. 287. A bill requesting and authorizing the Treasurer of State to transmit certain moneys to the common school fund.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Harris, Houghton, Hauss, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker.—86.

No member voted in the negative.

So the bill passed.

The Principal Clerk was ordered to inform the Senate thereof.

Mr. Oglebay was granted leave of absence until 2 P. M. Monday February 19.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of

Representatives that the Senate has passed the following bills and resolutions, to-wit :

Engrossed Senate Bill No. 76. An act to amend section 64 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Engrossed Senate Bill No. 116. An act to amend section 68 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Engrossed Senate Bill No. 131. An act to preserve documentary evidence on the files of the courts of this State, and prohibiting the entry of judgments on written evidences of debt until the original shall be filed with the clerk, and endorsed as provided in this act, repealing all conflicting acts and declaring an emergency.

Engrossed Senate Bill No. 124. An act declaring it unlawful to get on or off railroad cars and engines when in motion or switching, providing penalties for violation of this act and other matters connected therewith.

Engrossed Senate Bill No. 41. An act to amend section 15 of an act entitled "An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852.

Engrossed Senate Bill No. 96. An act requiring widows of persons dying testate to make their election within one year.

Engrossed Senate Bill No. 24. An act to amend the first section of an act entitled "An act to amend the 207th and 208th sections of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,' approved June 18th, 1852, so as to authorize a change of venue in certain cases, approved March 5th, 1859."

Engrossed Senate Bill No. 77. An act to amend section 1 of an

act entitled "An act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalties," approved March 5, 1852.

Engrossed Senate Bill No. 102. An act to amend section 10 of an act entitled "An act to authorize and limit allowances by courts and boards, and drafts upon county treasurers," approved May 27, 1852.

Engrossed Senate Bill No. 98. An act to provide for the more speedy trial of causes, and facilitate the transaction of business in courts; to provide for judges to try causes, and fix their compensation in certain cases therein named; to authorize adjourned terms of court and enlarge the jurisdiction in certain specified cases, repealing conflicting provisions in other acts and declaring an emergency.

Engrossed Senate Bill No. 46. An act to amend section 315 of "An act to revise, simplify and abridge the rules, practice," etc., approved June 18, 1852, as amended by the act approved March 9, 1861.

Engrossed Senate Joint Resolution No. 14. A joint resolution for the repeal of the national bankrupt law.

And the same are hereby submitted to the House of Representatives for its action thereon.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed House Joint Resolution No. 23, to restore the names of John H. Kilgore, George W. Johnson and Oliver Johnson, members of company "A" 40th Regiment Indiana Volunteer Infantry, to their original place upon the rolls of the army.

And the same is herewith returned to the House of Representatives for enrollment and the signature of the Speaker thereof.

Engrossed House Bill No. 329. A bill providing that where there is no sufficient prison in any county, prisoners may be confined in the jail of another county.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell,

Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Meriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—89.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills have carefully compared Engrossed House Bill No. 140 with the original and find the same correctly engrossed.

On motion by Mr. Carlton Engrossed House Bill No. 250. A bill to amend section 1 of an act entitled "An act repealing an act entitled 'an act to amend sections 3 and 14 of an act entitled 'an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free,' approved March 6, 1865, approved March 9, 1867, and all the act entitled 'an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject,' approved March 11, 1867, approved March 14, 1869," and declaring an emergency, approved March 13, 1875.

Was taken up out of its order and read a third time.

Mr. Foster of Allen, demanded the previous question.

Which was seconded by the House, and the main question ordered being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Coffman, Cole, Collins, Compton, Conley, Cooley, Craft,

Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lehman, Little, Madden, Mathews, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan and Zimmerman.—69.

Those who voted in the negative were Messrs. Ashby, Askren, Benz, Cook, Crumpacker, Hatfield, Hulet, Lanham, Leeper, Marsh, Merriman, Morrison, Reno, Riley, Stewart, Thompson of Elkhart, Zehring and Mr. Speaker.—18.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe moved to amend the title of the bill as follows :

I move to amend the title so that the same shall read as follows, viz. : An act repealing parts of an act entitled "An act repealing an act entitled an act to amend sections 3 and 14 of an act entitled an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same to be free," approved March 6, 1865, approved March 9, 1867, and all the act entitled "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject," approved March 11, 1867, approved March 14, 1869, and declaring an emergency, approved March 13, 1875, which act entitled repealed an act entitled "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject," approved March 11, 1867, approved May 14, 1869, and to revive the said act, approved May 14, 1869, so repealed : providing that plank, macadamized, turnpike and gravel road companies organized after the 13th day of March, 1875, shall not have the benefit of the said act so revived : declaring assessments upon lands for plank, macadamized and gravel road purposes in certain cases to be valid and binding, and providing for the collection and application of the same and declaring an emergency.

Which amendment was adopted.

Engrossed House Bill No. 2. A bill to enable owners of wet lands to drain and reclaim them where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith, approved March 11, 1867, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Coffman, Cole, Collins, Compton, Conley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girtton, Gossman, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Harper, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Pelle, Perigo, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—80.

Those who voted in the negative were Messrs. Cook, Garver and Hulet—3.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Leave of absence was granted to Messrs. Yaryan and Lockhart until Tuesday afternoon.

Engrossed House Bill No. 368. A bill providing that county commissioners shall furnish the proper means to test cattle and large platform scales, providing for the testing of the same, by whom and when, providing compensation, to prevent the using of condemned scales, forfeiture therefor, providing for re-testing and how often, how all fees may be collected and to what capacity of scales to apply, and declaring an emergency.

Was read a third time.

Mr. Lane moved the previous question.

Which was seconded by the House and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Benz, Branyan, Cary, Carson, Cole, Craft, Crumpacker, Endsley

Freeman, Kimmell, Lane, Langdon, Lanham, Leeper, Morgan, Riley, Sailors, Wells and Zimmerman—20.

Those who voted in the negative were Messrs, Adams, Albert, Askren, Austin, Baxter, Bumgarner, Butler, Carlton, Chawner, Coffman, Collins, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Elwell, Foster of Monroe, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Peelle, Perigo, Reno, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Yaryan, Zehring and Mr. Speaker—65.

So the bill was lost.

Mr. Carson moved that when the House adjourn it shall be to 2 o'clock P. M. Monday.

Mr. Freeman moved to amend the motion by making the hour 10 o'clock A. M.

Mr. Lanham moved to lay the motion and amendment upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Moorman and Thompson of Elkhart, whereupon

Those who voted in the affirmative were Messrs. Albert, Ashby, Austin, Benz, Branyan, Chawner, Coffman, Cole, Collins, Copeland, Davis, Elwell, Foster of Monroe, Freeman, Garver, Girton, Guthrie, Hall, Harris, Houghton, Highway, Harper, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Peelle, Perigo, Reno, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Whitehead, Wells and Mr. Speaker.—50.

Those who voted in the negative were Messrs. Adams, Ames, Askren, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Compton, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Fromm, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Langdon, Little, Madden, Morgan, Sailors, Spencer, Thomson of Miami, Viehe, Zehring and Zimmerman.—38.

So the motion to lay the motion and amendment upon the table prevailed.

Mr. Moorman moved an adjournment of the House.
Which was not agreed to.

Mr. Craft moved that when the House adjourns it shall be until 10 o'clock Monday.

Mr. Lanham moved to lay the motion on the table.
Which was agreed to.

On motion by Mr. Collins, the House adjourned.

AFTERNOON SESSION,

SATURDAY, February 17, 1877.

The House met, with the Speaker in the chair.

Consideration of House bills on third reading was resumed.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined House Bill No. 396 and find it correctly engrossed.

Engrossed House Bill No. 151. A bill regulating the tenure of office of county commissioners, and repealing all laws inconsistent therewith.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Baxter, Benz, Branyan, Bumgarner, Carlton, Coffman, Collins, Compton, Conley, Cooley, Freeman, Fromm, Garver, Gossman, Guthrie, Harris, Hatfield, Houghton, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Madden, Marsh, Moorman, Morgan, McCarty, Peelle, Riley, Spencer, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Zehring and Zimmerman—46.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Askren, Austin, Butler, Cary, Carr, Carson, Chawner, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Girton, Hall, Hauss, Highway, Harper, Mathews, Merriman, Morrison,

Perigo, Reno, Smith, Swayzee, Thompson of Elkhart and Mr. Speaker—31.

So the bill failed to pass for want of a constitutional majority.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills report that they have examined Engrossed House Bills Nos. 420, 320 and 257 and find the same correctly engrossed.

Engrossed House Bill No. 274. A bill concerning the powers of sheriffs, and authorizing them to serve State warrants in certain cases in any counties in this State, to call to their aid the power of the county in such counties, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Carey, Carlton, Carr, Carson, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, Peelle, Perigo, Reno, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—82.

No member voting in the negative.

So the bill passed.

The Principal Clerk was ordered to inform the Senate thereof.

By consent the title of the bill was amended by striking out the words, "and declaring an emergency."

Engrossed House Bill No. 262. A bill amending section 24 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Cole, Collins, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Marsh, Mathews, Moorman, Morgan, Morrison, McCarty, Peelle, Perigo, Reno, Riley, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—68.

Those who voted in the negative were Messrs. Askren, Baxter, Carson, Coffman, Compton, Cook, Johnson of Dearborn, Lane, Thomas, Madden, Stewart and Viehe—12.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 32. A bill defining libel, providing a penalty therefor, repealing all laws conflicting herewith, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Coffman, Collins, Compton, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Guthrie, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Lanham, Leeper, Lehman, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Peelle, Riley, Smith, Swayzee, Thomas, Thompson, of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—71.

Those who voted in the negative were Messrs. Ashby, Askren, Cole, Cook, Fromm, Girton, Gossman, Hatfield, Hosmer, Madden, Perigo, Reno, Spencer and Stewart—14.

So the bill passed.

The Principal Clerk was ordered to inform the Senate thereof.

Mr. Viehe moved the following amendment to the title :

I move to amend the title of the bill to read "An act defining libel, and to prevent the publication thereof."

Which was agreed to.

Engrossed House Bill No. 150. A bill to exempt benefits, claims and interest of the wives, children and dependents of members of Masonic, Odd Fellows, and other charitable societies, and exempting certain policies of life insurance from the claim of creditors, and designating the place where such corporations shall be sued, and providing for changing the names of payees or beneficiaries, as may be agreed upon by the members of such societies or incorporations, and the societies or incorporations of which they are members.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Asken, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Coffman, Cole, Collins, Compton, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Guthrie, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Peelle, Perigo, Reno, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Miami, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—70.

Those who voted in the negative were Messrs. Baxter, Butler, Cook, Fromm, Gossman, Hall, Kennedy of Rush, Lanham, McCarty, Riley and Stewart—11.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Leave of absence was granted Mr. Lane until Tuesday morning, and Mr. Little until Monday at 2 P. M.

Engrossed House Bill No. 379. A bill authorizing allowances in aid of agricultural associations.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert,

Ames, Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Guthrie, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, Moorman, McGaughey, Peelle, Perigo, Reno, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Zimmerman and Mr. Speaker—67.

Those who voted in the negative were Messrs. Baxter, Butler, Cooley, Girton, Hosmer, Morgan, Morrison, McCarty, Riley, Smith, Stewart, Swayzee and Zehring—13.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 404. A bill to legalize the acts of the incorporation of the town of Noblesville, Hamilton county, Indiana, and to legalize each and every official act of the several boards of trustees of said corporation, and all other acts of each and every officer of the same, under "an act for the incorporation of towns defining their powers, providing for the election of the officers and declaring their duties, approved June 11, 1852, and all by laws, rules, regulations, and proceedings, adopted in pursuance thereof.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Carlton, Carson, Chawner, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Peelle, Perigo, Reno, Riley, Smith, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker.—74.

Mr. Houghton voting in the negative.

So the bill passed.

Ordered that the Principal Clerk inform the Senate thereof.

The committee on engrossed bills submitted the following report :

MR. SPEAKER:

Your committee on engrossed bills have examined House Bill No. 359, and find the same correctly engrossed.

Leave of absence was granted Messrs. Harris and Hulet until Monday.

Pending bills on third reading, on motion by Mr. Spencer, the House adjourned until Monday at 2 o'clock P. M.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY AFTERNOON,

FEBRUARY 19, 1877.

The House met at 2 o'clock, with the Speaker in the chair.

On motion by Mr. Moorman, the reading of the journal was dispensed with.

Mr. Oglebay was granted leave to have his vote recorded in the negative on House Bill No. 34, passed last Friday.

Engrossed House Bill No. 125. A bill to amend section 2 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled 'an act for the protection of sheep,'" approved June 15, 1852, approved March 2, 1865, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs Ames, Benz, Coffman, Collins, Compton, Cook. Dannettell, Davis, Foster of Allen, Gossman, Hatfield, Madden, Marsh, Merriman, Paige, Perigo, Reno and Whitehead—18.

Those who voted in the negative were Messrs. Askren, Branyan, Butler, Cary, Carr, Carson, Chawner, Claypool, Cole, Conley, Copeland, Craft, Crumpacker, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Mathews, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas; Viehe, Zehring, Zimmerman and Mr. Speaker—59.

So the bill was lost.

Leave of absence until to-morrow noon was granted Messrs. Adams and Guthrie.

Engrossed House Bill No 244. A bill to amend an act entitled "An act to provide for township elections," approved June 15, 1852, approved April 26, 1869, and providing for an election under this act.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Askren, Benz, Branyan, Butler, Cary, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Hall, Henderson, Highway, Harper, Hubbard, Kennedy of Rush, Kimmell, Leeper, Little, Madden, Marsh, Moorman, Morgan, Peelle, Riley, Sailors, Stewart, Swayzee, Thomas, Whitehead, Zehring, Zimmerman and Mr. Speaker—46.

Those who voted in the negative were Messrs. Carlton, Carson, Cook, Craft, Fromm, Girton, Gossman, Grubbs, Harris, Hatfield, Houghton, Hauss, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Langdon, Lanham, Lehman, Mathews, Merri-man, Morrison, McCarty, McGaughey, Oglebay, Paige, Perigo, Reno, Scott, Smith, Spencer and Viehe—32.

So the bill failed to pass for want of a constitutional majority.

Engrossed House Bill No. 397. A bill to amend section 8 of an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved February 18, 1859.

Was read the third time and laid upon the table.

Engrossed House Bill No. 473. A bill to amend section 51 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, repealing all laws in conflict herewith, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Askren, Baxter, Benz, Branyan, Cary, Carlton, Cole, Collins, Compton, Dannettell, Foster of Allen, Foster of Monroe, Hatfield, Henderson, Kennedy of Rush, Marsh, Peelle, Perigo and Whitehead—20.

Those who voted in the negative were Messrs. Butler, Carr, Carson, Chawner, Claypool, Coffman, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Davis, Elwell, Freeman, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Houghton, Hauss, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Lanham, Lehman, Little, Madden, Mathews, Merriman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Viehe, Wells, Zehring, Zimmerman and Mr. Speaker—58.

So the bill was lost.

Engrossed House Bill 454. A bill to enable farmers and citizens of any county in the State of Indiana to form voluntary associations for the purpose of insuring their property against losses by fire, and all other matters connected therewith, and enabling them to sue and be sued by their corporate name.

Was read the third time.

The question being, shall the bill pass.

Those who voted in the affirmative were Messrs. Ames, Ashby, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Girton, Gossman, Grubbs, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Koontz, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Coffman, Fromm, Hall, Hulet, Kennedy of Union, Langdon and Viehe—7.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 333. A bill to authorize cities to issue bonds for the purpose of funding their indebtedness, reducing the rate of interest on pre-existing obligations, compromising with any creditors, or taking up and canceling bonds, notes or other securities already due, or which shall hereafter become due, and making it the duty of the common councils of such cities to levy taxes for the payment of the interest, and to provide sinking funds for the liquidation of the principal of said bonds.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girtton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peele, Perigo, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Viehe, Whitehead, Zehring, Zimmerman and Mr. Speaker—78.

Those who voted in the negative were Messrs. Morgan, Reno,—2.

So the bill passed.

The Principal Clerk was ordered to inform the Senate thereof.

Engrossed House Bill No. 355. A bill to amend section one of an act entitled "an act to prevent the spread of Canada thistles, to prescribe penalties for suffering the same to mature upon cultivated farms, and public highways, and to prescribe penalties for selling seeds or grain containing Canada thistle seed.

Was read the third time.

The question being, shall the bill pass.

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley,

Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker.—76.

Those who voted in the negative were Messrs. Cook, Cooley, Hatfield and Reno—4.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 234. A bill supplementary to an act approved March 14, 1867, entitled "An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto."

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Askren, Ashby, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—77.

Those who voted in the negative were Messrs. Coffman, Freeman and Stewart—3.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 327. A bill to amend an act entitled

"An act regulating the granting of divorces, nullification of marriages and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Morrison, McCarty, McGaughey, Paige, Peelle, Perigo, Reno, Sailors, Smith, Spencer, Swayzee, Thomas, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—71.

Those who voted in the negative were Messrs. Cole, Freeman, Gossman, Kimmell, Merriman, Moorman, Morgan, Oglebay, Riley, Scott and Stewart—11.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 208. A bill relating to the prosecution of felonies not punishable with death, and misdemeanors in the criminal circuit and circuit courts, by affidavit and information, repealing all laws in conflict with this act.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Carey, Carlton, Carr, Carson, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Little, Madden, Mathews, Moorman, Morrison, McCarty, Paige, Peele, Perigo, Reno, Riley, Sailors, Stewart, Viehe, Whitehead, Zehring, Zimmerman and Mr. Speaker—63.

* Those who voted in the negative were Messrs. Chawner, Claypool, Coffman, Collins, Crumpacker, Elwell, Endsley, Lehman, Marsh, Merriman, Morgan, McGaughey, Oglebay, Scott, Smith, Spencer, Swayzee, Thomas and Wells—19.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 229. A bill to amend section 22 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Pelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—81.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Leave of absence till to-morrow was granted the special committee on the bill to provide an asylum for feeble minded children.

Mr. Carlton, from the committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills would respectfully report that we have carefully examined Enrolled Joint Resolution No. 23 (H. R.), and have compared the same with the engrossed resolution and we find that the same is correctly enrolled.

Engrossed House Bill No. 284. A bill to entitle the trustees of two or more adjacent counties and townships to form a new school house district and build a school house therein, and fixing the manner in which such expense shall be borne, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Scott, Smith, Stewart, Thomas, Viehe, Whitehead, Wells and Zehring—76.

Those who voted in the negative were Messrs. Girton, Hubbard, Reno, Swayzee, Zimmerman and Mr. Speaker—6.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe moved the following amendment to the title of the bill:

I move to amend the title of this bill as follows: 1. Strike out the word "house" before "district." 2. Strike out the words "and declaring an emergency."

Which was agreed to.

Engrossed House Bill No. 270. A bill to amend section 12 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act," and declaring an emergency, approved March 10, 1873.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Askren,

Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Marsh, Matthews, Merriman, Moorman, Morrison, McCarty, McGaughey, Paige, Peelle, Perigo, Reno, Sailors, Smith, Spencer, Swayzee, Viehe, Whitehead, Wells, Zimmerman and Mr. Speaker—63.

Those who voted in the negative were Messrs. Ames, Chawner, Elwell, Foster of Allen, Gossman, Houghton, Johnson of Carroll, Kennedy of Rush, Lehman, Little, Morgan, Oglebay, Riley, Scott, Stewart, Thomas and Zehring—17.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The following message was received from His Excellency, Governor Williams, by his Private Secretary, Mr. Downey.

The Honorable, the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House of Representatives that he has approved and signed House Enrolled Bill numbered and entitled as follows :

No. 55. An act to cure defective sheriff's sales where advertisement thereof has been made as provided by an act approved March 11, 1875, entitled "An act to amend section 467 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,'" approved February 14, 1877.

And that he has caused said act to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, February 19, 1877.

Engrossed House Bill No. 26. A bill to protect the citizens of the state of Indiana from empiricism and elevate the standing of the medical profession, requiring two full courses of instruction in some

chartered medical school, or a certificate from some State or county medical society, and prescribing a penalty for violation thereof.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Benz, Carlton, Carson, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Girton, Harris, Hatfield, Houghton, Hauss, Henderson, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Madden, Marsh, Mathews, Moorman, Morrison, McCarty, Oglebay, Paige, Perigo, Sailors, Scott, Spencer, Stewart, Swayzee, Whitehead, Wells, Zimmerman and Mr. Speaker—50.

Those who voted in the negative were Messrs. Ames, Ashby, Askren, Baxter, Branyan, Butler, Cary, Carr, Chawner, Claypool, Conley, Cooley, Crumpacker, Elwell, Fromm, Gossman, Grubbs, Hall, Highway, Harper, Hubbard, Kennedy of Rush, Lanham, Merri-man, Morgan, McGaughey, Peelle, Reno, Riley, Smith, Thomas, Viehe and Zehring—33.

So the bill failed to pass for want of a constitutional majority.

The Speaker announced that he had signed House Joint Resolution No. 23.

Engrossed House Bill No. 195. A bill legalizing dissections of human bodies for anatomical and surgical study, providing the manner of obtaining material for such dissections, and penalties for violations of its provisions.

Was read the third time.

Mr. Marsh moved the previous question, which was seconded by the House and the main question ordered, being shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Benz, Branyan, Cary, Carr, Chawner, Coffman, Cole, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Girton, Grubbs, Hatfield, Harper, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—62.

Those who voted in the negative were Messrs. Carlton, Carson, Claypool, Conley, Cooley, Gossman, Hall, Houghton, Hauss, Henderson, Johnson of Carroll, Johnson of Dearborn, McCarty, Reno, Riley and Smith—16.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 471. A bill to amend sections 1 and 3 of an act entitled "An act to provide for the relocation of county seats, and for the erection of public buildings in counties in case of such relocation," approved February 24, 1869.

Having been heretofore read a third time and passed, and the vote by which it passed reconsidered, came up in its order.

By unanimous consent Mr. Viehe offered the following amendment to the bill:

I move to amend section 1 of this bill by striking out all after the word "act" and before the words "be and the same," and insert in place thereof the following: "Approved February 24, 1869, and entitled an act to amend sections 1 and 3 of an act entitled 'an act to provide for the relocation of county seats, and for the erection of public buildings in counties in case of such relocation,' approved March 2, 1855, and to amend section 1 of an act amendatory of said act, approved December 18, 1865, and to provide for the appointment of commissioners."

Which was agreed to by the House.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Branyan, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Viehe, Whitehead, Wells, Zehring and Zimmerman—74.

Those who voted in the negative were Messrs. Carr, Compton, Hall, Madden, Morrison and Mr. Speaker—6.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Viehe moved the following amendment to the title of the bill :

I move to amend the title of this bill so that the same read as follows :

“An act to amend an act approved February 24, 1869, entitled ‘an act to amend sections 1 and 3 of an act entitled an act to provide for the re-location of county seats, and for the erection of public buildings in counties in case of such re-location,’ approved March 2, 1855, and to amend section 1 of an act amendatory of said act, approved December 18, 1865, and to provide for the appointment of commissioners.”

Which was agreed to.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed Enrolled Joint Resolution No. 23. A joint resolution to restore the names of John H. Kilgore, George W. Johnson and Owen Johnson, members of Company A, Fortieth Regiment Indiana Volunteer Infantry to their original places upon the rolls of the army. And the same is herewith returned to the House.

On motion by Mr. Koontz, House Bill No. 397, heretofore read the third time and laid upon the table, was taken therefrom, and

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Elwell, Foster of Allen, Foster of Monroe, Fromm, Girton, Grubbs, Harris, Hatfield, Hauss, Henderson, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Meriman, Moorman, Morgan, McCarty, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Viehe, Wells and Mr. Speaker—66.

Those who voted in the negative were, Messrs. Ames, Asken,

Cook, Gossman, Hall, Houghton, Harper, Morrison, Spencer and Zehring—10.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 257. A bill to authorize the recording of exemplifications of land patents of the United States, giving them when so recorded, the same validity as the origiaal patents, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Henderson, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanhams, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Viehe, Whitehead, Wells, Zehring and Mr. Speaker.—76.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

By consent the title of the bill was amended by striking out the words "and declaring an emergency."

Engrossed House Bill No. 320. A bill legalizing the entries made and entered in the Tract Book of original land entries of Marion county.

Was read the third time.

The question being, shall the bill pass?

Those who voted in affirmative were Messrs. Ashby, Askren, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Conley, Cook, Cooley, Copeland, Craft, Crumacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush,

Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—73.

No member voting in the negative.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Mr. Peelle offered the following resolution, which was adopted :

Resolved, That the meetings of the House, until otherwise ordered, be at 9 o'clock A. M.

Mr. Viehe moved to reconsider the vote by which House Bill No. 397 was passed.

Which was agreed to.

Pending House bills on third reading, on motion by Mr. Carlton, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

TUESDAY MORNING,

FEBRUARY 20, 1877.

The House met, with the Speaker in the chair.

On motion by Mr. Oglebay the reading of the journal of yesterday's proceedings was dispensed with.

House bills on second reading were taken up.

House Bill No. 480, introduced by Mr. Henderson, was read a second time and referred to the committee on organization of courts.

House Bill No. 481, introduced by special committee on library expenditure, was read a second time and referred to the committee on fees and salaries.

House Bill No. 479, introduced by the committee on fees and salaries, was read a second time and referred to the committee on fees and salaries.

By unanimous consent the order of business was suspended, and Mr. Craft introduced House Bill No. 483. A bill defining vagrancy, providing punishment therefor, and declaring an emergency.

Which was read a first time.

Mr. Craft moved that the constitutional rule be suspended, the bill read a second time by title and referred to the committee on judiciary.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Branyan, Butler, Cary, Carson, Chawner, Claypool, Cooley, Craft, Crumpacker, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Little, Madden, Marsh, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Perigo, Peelle, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Cook, Davis and Stewart—3.

So the constitutional rule was suspended.

The bill was read a second time by title, and referred to the committee on judiciary.

HOUSE BILLS ON THIRD READING,

The order pending at adjournment yesterday was resumed.

The joint committee on engrossed bills made the following report :

MR. SPEAKER:

Your joint committee on enrolled bills would respectfully report that on the 19th day of February, 1877, we delivered to the Governor "Enrolled Joint Resolution No. 23, House of Representatives," for his signature.

Engrossed House Bill No. 396. A bill in relation to policies of life insurance for the benefit of married and unmarried women, repealing all laws in conflict herewith, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Foster of Allen, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Leeper, Lehman, Madden, Marsh, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Priest, Rea, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Whitehead, Wells, Yaryan, Zimmerman and Mr. Speaker—71.

Those who voted in the negative were Messrs. Butler, Cary, Carson, Cook, Elwell, Freeman, Fromm, Koontz, Lanham, Little, Merriman, Perigo, Reno, Stewart, Viehe and Zehring—16.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

By consent, the title of the bill was amended by striking out the words "and declaring an emergency."

The committee on engrossed bills made the following report:

MR. SPEAKER:

The committee on engrossed bills report that they have compared House Bills Nos. 298, 409 and 410 with the original bills, and find the same correctly engrossed.

Engrossed House Bill No. 420. A bill to amend section 4 of an act entitled "An act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which such harbors may run, and to assess damages and benefits against adjoining owners," approved March, 9, 1875.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris,

Hatfield, Houghton, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—89.

No member voting in the negative.

So the bill passed.

The Principal Clerk was ordered to inform the Senate thereof.

The committee on engrossed bills submitted the following report :

MR. SPEAKER:

Your committee on engrossed bills, to whom was referred House Bills Nos. 378 and 422; desire to report that they have carefully examined the same, and find them in all respects correctly engrossed.

Engrossed House Bill No. 140. A bill to amend the second section of an act approved March 13, 1875, entitled "An act to amend section 2 of an act entitled 'an act to secure dues from private corporations and to extend their immunities to all citizens who may organize on the same terms,'" approved February 25, 1859.

Was read the third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Whitehead, Wells, Yaryan, Zehring and Zimmerman—74.

Those who voted in the negative were Messrs. Butler, Cary, Cook, Guthrie, Houghton, Hause, Leeper, Little, Morrison, Oglebay,

Paige, Perigo, Priest, Rea, Reno, Riley, Thompson of Elkhart, Warrum and Mr. Speaker—19.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills to whom was referred Engrossed Bills Nos. 33, 206, 325 and 440, would respectfully report that they have carefully compared the same with the originals and find them correctly engrossed.

On motion by Mr. Carlton, House Bill No. 26 heretofore read a third time, and which failed to pass for want of a constitutional majority, was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Benz, Branyan, Bumgarner, Carlton, Carson, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Guthrie, Harris, Hatfield, Hauss, Henderson, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Little, Lehman, Madden, Marsh, Mathews, Morrison, McCarty, Oglebay, Paige, Perigo, Reno, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Wells, Yaryan, Zimmerman and Mr. Speaker—66.

Those who voted in the negative were Messrs. Ashby, Askren, Baxter, Butler, Cary, Carr, Claypool, Cooley, Crumpacker, Girton, Gossman, Grubbs, Hall, Houghton, Highway, Harper, Hosmer, Hubbard, Lanham, Merriman, Moorman, Morgan, McGaughey, Peelle, Priest, Rea, Smith, Thomas, Warrum and Zehring—30.

So the bill passed.

The Principal Clerk was directed to inform the Senate thereof.

Engrossed House Bill No. 188. A bill to amend sections 1 and 2 of an act entitled "An act concerning interest on money, and to provide for the recoupment of usurious interest," approved March 9, 1867, and declaring an emergency.

Was read a third time.

Mr. Leeper moved the previous question, which was not seconded.

Mr. Moorman renewed the motion for the previous question.

Which was seconded by the House and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Carlton, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Endsley, Freeman, Garver, Gossman, Grubbs, Hall, Houghton, Hauss, Henderson, Harper, Johnson of Carroll, Johnson of Dearborn, Kimmell, Lanham, Little, Madden, Marsh, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Stewart, Thomas, Thompson of Howard, Wells, Warrum and Zimmerman—55.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Cary, Carr, Cole, Copeland, Craft, Crumpacker, Elwell, Foster of Allen, Foster of Monroe, Fromm, Girton, Guthrie, Harris, Hatfield, Highway, Hosmer, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Leeper, Lehman, Lockhart, Mathews, Merriman, Moorman, McGaughey, Smith, Spencer, Swayzee, Thompson of Elkhart, Viehe, Whitehead, Yaryan, Zehring and Mr. Speaker—41.

So the bill passed.

The question being, shall the title stand?

By consent the title was amended by striking out the words "and declaring an emergency."

Engrossed House Bill No. 359. A bill to amend an act entitled "An act to authorize plank, macadamized and gravel road companies to consolidate their stock with other similar companies and to assume a common name, and defining the power of such consolidated company," approved February 23, 1859.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cooley, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Morrison, McCarty, McGaughey, Oglebay,

Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—84.

Those who voted in the negative were Messrs. Albert, Ashby, Butler, Cook, Crumpacker, Stewart and Warrum—7.

So the bill passed.

The question being, shall the title stand without amendment?

It was so ordered.

Mr. Lanham announced the death of Hon. D. C. Branham, Senator from the county of Jefferson.

Mr. Foster of Monroe moved that a committee of three be appointed to act with a like committee on the part of the Senate to take such action as may be deemed proper in the matter.

Which was agreed to.

The Speaker thereupon appointed Messrs. Foster of Monroe, Yaryan and Lanham to act as such committee on the part of the House.

Mr. Thompson of Elkhart moved as a mark of respect to the memory of the deceased Senator the House do now adjourn.

Which was agreed to.

The House adjourned until 2 o'clock P. M.

AFTERNOON SESSION,

TUESDAY, February 20, 1877.

The House met, with the Speaker in the chair.

By consent Mr. Compton offered the following resolution:

Resolved, That it is the sense of this House, that before any bill shall be considered for the building of a new State House, a plan should be adopted and the cost thereof fixed by the General Assembly.

Which was referred without reading to the committee of the whole House, to be considered under the special order on Wednesday February 21, at 10 o'clock A. M.

Engrossed House Bill No. 378. A bill exempting cemetery lots from sale on execution or other legal process.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Coffman, Cole, Collins, Compton, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—82.

Those who voted in the negative were Messrs. Hulet and Stewart—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

The committee on engrossed bills made the following report:

MR. SPEAKER:

The committee on engrossed bills have compared Engrossed House Bill No. 432 with the original, and find the same correctly engrossed.

Engrossed House Bill No. 422. A bill to amend section 60 and to repeal section 290 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes," approved December 21, 1872, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins,

Compton, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Sailors, Smith, Spencer, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Zehring and Mr. Speaker—81.

Those who voted in the negative were Messrs. Kennedy of Rush, Moorman, Riley, Swayzee, Thompson of Elkhart, Viehe and Zimmerman—7.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Viehe moved the following amendment to the title of the bill :

I move to amend the title of this bill by inserting the word "thereon" after the word "taxes," and by striking out the words "and declaring an emergency."

Which was agreed to.

Engrossed House Bill No. 298. A bill concerning the three per cent. fund, and the disposal thereof.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart,

Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—92.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion by Mr. Zehring, House Bill No. 151, which had been previously read a third time and failed to pass for want of a constitutional majority, was taken up.

The question again being, shall the bill pass?

Those who voted in the affirmative were Messrs. Askren, Baxter, Branyan, Cary, Carlton, Carson, Cole, Conley, Cooley, Endsley, Freeman, Fromm, Garver, Girton, Gossman, Harris, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Langdon, Little, Lockhart, Marsh, Moorman, Morgan, McCarty, Oglebay, Peelle, Riley, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead and Zehring—37.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Benz, Bumgarner, Butler, Carr, Chawner, Claypool, Coffman, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Grubbs, Guthrie, Hall, Hatfield, Houghton, Hauss, Highway, Harper, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Madden, Mathews, Merriman, Morrison, McGaughey, Paige, Perigo, Priest, Rea, Reno, Sailors, Scott, Smith, Spencer, Swayzee, Thompson of Elkhart, Wells, Warrum, Yaryan, Zimmerman and Mr. Speaker.—56.

So the bill was lost.

Engrossed House Bill No. 409. A bill in relation to the rights, powers and duties of life, health or accident insurance companies, organized under the law of this State.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen,

Freeman, Girton, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—86.

Those who voted in the negative were Messrs. Fromm, Garver, Gossman, Kimmell, Morgan, Reno, Spencer, Stewart, Viehe and Yaryan—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Peelle moved a suspension of the rules for the purpose of introducing a bill.

Which was not agreed to.

Engrossed House Bill No. 33. A bill to amend section 7 of an act entitled "An act for the incorporation and continuance of building, loan fund and savings associations, and repealing the laws on that subject, approved March 8, 1857, and all such associations now in existence," approved March 11, 1875.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Houghton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe,

Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker.—89.

Those who voted in the negative were Messrs. Butler, Morgan and Riley—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Viehe moved the following amendment to the title of the bill :

I move to amend the title of this bill by striking out " March 8," and inserting " March 5 " in place thereof.

Which was agreed to.

Engrossed House Bill No. 325. A bill repealing an act entitled "An act requiring county auditors to publish a statement of all the allowances made by the county commissioners," approved March 9, 1875, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Askren, Baxter, Branyan, Cary, Carlton, Carson, Coffman, Compton, Dannettell, Gossman, Highway, Hulet, Johnson of Dearborn, Leeper, Little and Marsh—17.

Those who voted in the negative were Messrs. Adams, Ashby, Austin, Bumgarner, Butler, Carr, Chawner, Claypool, Cole, Collins, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Lehman, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—76.

So the bill was lost.

Engrossed House Bill No. 206. A bill to prevent accident by railroads, prescribing penalties for violations, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Austin, Branyan, Bumgarner, Carson, Chawner, Claypool, Coffman, Cole, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kimmell, Koontz, Langdon, Lanham, Little, Lockhart, Madden, Marsh, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—69.

Those who voted in the negative were Messrs. Adams, Baxter, Butler, Cary, Carr, Collins, Cooley, Garver, Girton, Guthrie, Hauss, Harper, Hulet, Kennedy of Rush, Leeper, Lehman, Mathews, Rea, Warrum and Yaryan—20.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

By consent such title was amended by striking therefrom the words "and declaring an emergency."

Engrossed House Bill No. 410. A bill to enable the owners of wet lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of trustees of townships and other officers in the premises, and to provide for the repair of such drains, and repealing all laws in conflict herewith.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morrison, McCarty, McGaughey, Paige, Perigo, Priest, Rea, Reno, Sailors, Scott, Spencer, Stewart, Thomas, Thompson of Howard,

Thompson of Miami, Viehe, Whitehead, Zehring, Zimmerman and Mr. Speaker—74.

Those who voted in the negative were Messrs. Carr, Crumpacker, Foster of Monroe, Freeman, Hubbard, Leeper, Mathews, Morgan, Oglebay, Peelle, Riley, Smith, Swayzee, Thompson of Elkhart and Wells—15.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

By consent, Mr. Lanham, from the select committee appointed to confer with the Senate committee in relation to action of the two Houses in respect to the deceased Senator, Hon. D. C. Branham, submitted the following report:

MR. SPEAKER:

Your special committee appointed to confer with a like committee on the part of the Senate, in order to determine what action would be appropriate on the part of this General Assembly as a fitting mark of respect to the memory the Hon. David C. Branham, the deceased Senator from the county of Jefferson, respectfully beg leave to report that they have performed the duty assigned to them, and have arranged for the members of the House to assemble at the crossing of Vermont and Meridian streets at 8 o'clock A. M. to-morrow, and from thence accompany the remains of the deceased Senator to the Union Depot.

We also recommend the appointment of a committee of escort of four members of the House who shall accompany the remains to Madison.

Which report was unanimously concurred in.

The Speaker announced the appointment of Messrs. Lanham, Thompson of Elkhart, Collins and Austin as the committee to accompany the remains of Hon. David C. Branham to Madison.

Engrossed House Bill No. 432. A bill to amend an act entitled "An act to repeal all general laws in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto."

Was read a third time.

By unanimous consent, Mr. Viehe made the following motion :

MR. SPEAKER :

I move to amend this bill by striking out the section proposed to be amended.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker.—91.

Those who voted in the negative were Messrs. Butler, Paige and Stewart—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Viehe moved the following amendment to the title of the bill :

I move to amend the title of the bill as follows: 1. After the word "amend" insert "section 29 of." 2. After the word "laws" insert "now."

Which was agreed to.

Engrossed House Bill No. 440. A bill entitled "An act to amend an act entitled 'an act to provide for the government and discipline of the Indiana State Prison,' approved February 5, 1857, providing for the purchase of books for the use of convicts, repealing all laws in conflict herewith," and declaring an emergency.

Was read a third time, and, on motion by Mr. Adams, made the special order for next Thursday at 10 o'clock, A. M., and 100 copies ordered printed.

Engrossed Senate Bill No. 36. A bill to amend section 120 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Houghton, Hauss, Henderson, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—91.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 19. A bill to amend section 8 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, approved March 8, 1873.

Was read a third time with the amendments of the House thereto.

The amendments were adopted.

Mr. Leeper moved to recommit the bill to the committee on education with the following instructions:

I move to amend Senate Bill No. 19 by adding to section 1 the following additional proviso: "*And provided further, That text*

books for primary schools which may hereafter be adopted by any school board of any city in the State, shall not be changed within six years from the date of such adoption, except by unanimous vote of the board of education of such city, nor unless such vote shall be ratified by two-thirds vote of all the common council of such city."

Mr. Johnson of Carroll moved to lay the motion to recommit upon the table.

Which was agreed to.

Mr. Hauss moved the previous question, which was seconded by the House, and the main question ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Conley, Cook, Copeland, Dannettell, Davis, Endsley, Foster of Monroe, Fromm, Garver, Gossman, Hatfield, Houghton, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Langdon, Lehman, Little, Lockhart, Mathews, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Priest, Rea, Scott, Smith, Spencer, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—60.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Benz, Bumgarner, Collins, Compton, Cooley, Craft, Elwell, Freeman, Girton, Grubbs, Guthrie, Hall, Harris, Hauss, Harper, Kimmell, Koontz, Lanham, Leeper, Madden, Marsh, Merriman, Moorman, Perigo, Reno, Riley, Sailors, Stewart, Thomas, Thomson of Howard and Yaryan—34.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following communication was received from His Excellency, Governor Williams:

The Honorable, the Speaker of the House of Representatives:

I respectfully transmit for the consideration of the House of Representatives the accompanying preamble and resolutions this day received from the Secretary of the Indiana State Grange.

(Signed.)

JAMES D. WILLIAMS,

Governor.

EXECUTIVE DEPARTMENT, February 20, 1877.

Preamble and resolutions adopted by the Indiana State Grange, in session at Muncie, Indiana, December 13, 1876 :

WHEREAS, The National Grange at their last meeting by preamble and resolution set forth the necessity of the establishment of an agricultural bureau to be presided over by a cabinet officer, and by a resolution instructing the executive committee of the National Grange to send a copy of the preamble and resolutions to each member of Congress, and that each State Grange take action in furtherance of the above object. Be it, therefore,

Resolved, That the Legislature of Indiana, at their coming session, be requested to pass a joint resolution instructing our Senators and requesting our Representatives to use their influence and votes to procure the passage of a law to carry out the object as above set forth.

Resolved, That the Secretary of this State Grange be directed to send a copy of these resolutions and preambles to the Governor, and that he lay the same before the Legislature at their ensuing session.

C. C. POST, Secretary.

Which communication was referred to the committee on agriculture.

Pending Senate bills on third reading, on motion by Mr. Albert, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

FEBRUARY 21, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. E. A. Bradley, pastor of Christ Episcopal Church.

On motion by Mr. Paige, the reading of the journal of yesterday's proceedings was dispensed with.

SENATE BILLS ON THIRD READING.

Engrossed Senate Bill No. 33. A bill to amend section 1 of an

act to amend section 22 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, approved March 2, 1855.

Was read the third time, together with the engrossed House amendments.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Scott, Smith, Swayzee, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Johnson of Dearborn, McCarty, Priest, Reno, Spencer and Stewart.—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 35. A bill amending sections 4 and 7 of an act entitled "An act to enable the owners of wet land to drain and reclaim them where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith," approved March 11, 1867.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Askren, Baxter, Benz, Branyan, Bumgarner, Carlton, Carson, Chawner, Coffman, Cole, Compton, Conley, Cook, Cooley, Craft, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Harper, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lockhart, Madden, Merriman, Morrison,

McCarty, McGaughey, Paige, Peelle, Rea, Sailors, Scott, Spencer, Stewart, Thomson of Miami, Warrum, Yaryan and Mr. Speaker—55.

Those who voted in the negative were Messrs. Butler, Cary, Carr, Claypool, Copeland, Crumpacker, Dannettell, Freeman, Highway, Hosmer, Hubbard, Johnson of Carroll, Kimmell, Lane, Leeper, Lehman, Little, Marsh, Mathews, Morgan, Oglebay, Perigo, Reno, Riley, Smith, Swayzee, Viehe, Whitehead, Wells, Zehring and Zimmerman—31.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Indefinite leave of absence was granted Mr. Welborn.

By consent Mr. Hatfield presented the petition of the heirs of John P. Dunn.

Which was referred to the committee on claims without reading.

Engrossed Senate Bill No. 104. A bill to legalize the official acts of the Board of Trustees of the town of Shoals, Martin county, Indiana.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Hall, Harris, Hatfield, Houghton, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—84.

Those who voted in the negative were Messrs. Carson, Freeman, Houghton and Reno—4.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 110. A bill to legalize the official acts of the Board of Trustees of the town of Loogootee, Martin county, Indiana.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girtton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Highway, Harper, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Merriam, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Pelle, Perigo, Priest, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—82.

Those who voted in the negative were Messrs. Rea and Warrum—2.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 7. A bill legalizing a certain judgment rendered without the formal service of process, and sales thereon, and declaring an emergency.

Was read the third time with the engrossed amendments of the House thereto.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Gossman, Grubbs,

Hall, Harris, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Riley, Sailors, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—78.

Those who voted in the negative were Messrs. Ames, Carson, Fromm, Girton, Rea, Reno, Stewart, Wells and Warrum—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 10. An act to legalize all acts of notaries public done and performed after their term of office has expired.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Askren, Butler, Carr, Cole, Cook, Garver, Harris, Hauss, Hulet, Langdon, Leeper, Mathews, Merriman, Thompson of Howard, Thomson of Miami and Yaryan—16.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Baxter, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Hall, Hatfield, Houghton, Highway, Harper, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lehman, Little, Lockhart, Madden, Marsh, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Viehe, Whitehead, Wells, Warrum, Zehring, Zimmerman and Mr. Speaker—73.

So the bill was lost.

By consent Mr. Morgan presented the petition and claim of J. D. Hiatt & Son and others, against the State.

Which was referred to the committee on claims without reading.

By consent Mr. Peelle presented the claim of Wm. I. Ripley against the State on account of interest on a debt due him for supplies furnished the House of Refuge.

Which was referred to the committee on claims without reading.

Engrossed Senate Bill No. 15. A bill to amend the 528th section of an act entitled "An act to revise and simplify the rules, practice and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Conley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Meriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—78.

Those who voted in the negative were Messrs. Cook, Paige, Rea, Reno, Riley, Stewart, Wells and Warrum—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 25. An act to legalize the official acts, orders, ordinances, regulations and proceedings passed, adopted and executed by the board of trustees of the town of Marion, Grant county, Indiana, under and in pursuance of an act entitled

"An act for the incorporation of towns, defining their powers, providing for the election of officers thereof," etc.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Coie, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hatfield, Hall, Harris, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lane, Langdon, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thomson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—82.

Those who voted in the negative were Messrs. Askren, Koontz, Leeper, Priest, Reno, Swayzee and Wells—7.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 43. A bill entitled "An act to amend section 7 of an act concerning mortgages," approved May 4, 1852.

Which was read the third time.

Mr. Craft moved to recommit the bill to the committee on fees and salaries with the following instructions:

MR. SPEAKER:

I move to recommit to the committee on fees and salaries with special instructions to amend as follows:

- | | |
|---|--------|
| 1. For each attestation, and indexing same | \$.10 |
| 2. For each satisfaction under seal, and indexing same... | .50 |
| 3. For each assignment under seal | .25 |

Mr. Hulet moved to lay the motion to recommit the bill with instructions upon the table.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Baxter, Bran-
yan, Butler, Carr, Carson, Chawner, Coffman, Compton, Cook,
Crumpacker, Gossman, Grubbs, Hall, Houghton, Hulet, Johnson
of Carroll, Langdon, Lehman, Marsh, Mathews, Merriman, Moor-
man, McGaughey, Peelle, Smith, Spencer, Swayzee, Thomas, Viehe,
Whitehead, Wells, Warrum and Yaryan—33.

Those who voted in the negative were Messrs. Adams, Albert,
Ames, Ashby, Askren, Benz, Cary, Claypool, Cole, Conley, Cooley,
Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of
Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton,
Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer,
Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of
Union, Kimmell, Koontz, Lane, Leeper, Little, Madden, Morgan,
Morrison, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno,
Riley, Sailors, Scott, Stewart, Thompson of Howard, Thomson of
Miami, Zehring, Zimmerman and Mr. Speaker—58.

So the bill was lost.

The day and hour having arrived, the special order being the
consideration of House Bill No. 482, the resolution of Mr. Scott,
reported back by the joint committee on public buildings, and the
resolution offered by Mr. Compton, was taken up.

Mr. Compton moved the consideration of the special order be
postponed until to-morrow at 10 o'clock.

Which was not agreed to.

The House then went into committee of the whole House on the
special order, with Mr. Viehe in the chair.

After some time spent in the consideration of the special order,
the hour of noon having arrived, the committee arose and through its
chairman submitted the following report :

MR. SPEAKER:

The committee of the whole House has instructed me to report
that said committee has been in session, has had under consideration
House Bill No. 482 without coming to any conclusion on the same,
and now ask leave to sit again at 2 o'clock to-day.

Which report was concurred in.

On motion by Mr. Davis, the House adjourned.

AFTERNOON SESSION.

WEDNESDAY, February 21, 1877.

The House met, with the Speaker in the chair.

The House, under the order previously adopted, again went into committee of the whole House on House Bill No. 482, the special order of the day, with Mr. Viehe in the chair.

At 5:15 P. M. the committee arose, and through their chairman made the following report :

MR. SPEAKER :

I am directed to inform the House that the committee of the whole House has been in session, has had under consideration House Bill No. 482, and has directed me to report the same back and ask leave to sit again at 2 o'clock, P. M., to-morrow.

Which was concurred in.

On motion by Mr. Hulet, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

FEBRUARY 22, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. Mr. Cunick, of Ames Methodist Episcopal Church.

On motion by Mr. Priest, the reading of the journal of yesterday's proceedings was dispensed with.

REPORTS FROM COMMITTEES.

The Speaker announced reports from committees to be in order.

Mr. Harper, from the committee on elections, submitted the following report :

MR. SPEAKER :

Your committee on elections, to whom was referred House Bill

No. 415, entitled "An act to repeal section 22 of an act entitled 'an act regulating general elections, and prescribing the duties of officers in relation thereto,' approved June 7, 1852," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do pass.

Which was concurred in and the bill ordered to be engrossed.

Mr. Kennedy of Rush, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means to whom was referred House Bill No. 447, have had the same under consideration, and directed me to report : This is a bill to provide for the purchase of supplies of all kinds for the prisons, by contracts on bids ; the purpose of this bill is good, and if all of our penal and benevolent institutions were under the control of one board of State charities, some such provisions ought to be adopted ; but with the institutions at different points, and under different boards of control, we are of opinion it would prove cumbersome and expensive. We therefore recommend that the bill do lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Carlton, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee to whom was referred House Bill No. 430, entitled "An act to legalize a certain ordinance of the common council of the city of Indianapolis therein mentioned, designated as Ordinance No. 51, and passed October 16, 1876, as well as the acceptance thereof, by the Union Railroad Transfer and Stock Yard Company, and to validate the contract in said ordinance, and in the acceptance thereof," respectfully report : That we have examined the evidence pertaining to the same, and find from the proceedings had by and between the city and said company, facts as follows :

1. That a decided majority of the freeholders of the city of Indianapolis did, by petition dated September 5, 1876, ask the common council of said city to issue to the said railroad company her bonds, to the amount of \$500,000, upon certain conditions—to aid in the construction of the railroad of said company, as shown by a report bearing date of September 25, 1876, of the committee of said council, the city attorney, and William Hadley, late assessor, found on page 10 of the pamphlet herewith submitted.

2. That the common council of said city did on the 16th day of October, 1876, pass an ordinance known as Ordinance No. 51, complying in spirit with the prayer of the said petitioners, binding said company to build a railroad and stock yards, as provided in said ordinance, to cost not less than \$650,000, which shall be certified so to be, to the common council of said city, to the satisfaction of the Mayor, two trustees (appointed by said council), and to the satisfaction of the civil engineers of the city and said company, then the said company should deliver to said city \$500,000 of her 6 per cent. 20-year bonds, secured by a first mortgage on the company's railroad, its franchises, road bed, tracks, switches, and rolling stock; also on the stock yard lands (of not less than one hundred acres), together with all the buildings and appurtenances thereunto belonging.

3. Then said city is to deliver \$500,000 of her 6 per cent. 20 years bonds to the said company.

4. The ordinance provides "that it shall be in force from and after its passage and filing with the Mayor of said city a certified copy of the record of the board of directors of said company, accepting the terms and conditions thereon set forth."

5. The said railroad company did, on the 17th day of October, 1876, at a meeting of the board of directors thereof, pass a resolution accepting the terms and conditions set forth in the said Ordinance No. 51, and did file with the Mayor of said city, on the same day, certified copy of said resolution.

6. On the 30th day of October, 1876, the president of the said company presented a communication to the common council of said city, stating that doubts having arisen as to the validity of some of the conditions of said contract between the city and said company, as provided in said ordinance, the company would join the city in a memorial to the Legislature of the State of Indiana, asking that the same should be legalized and made binding.

7. The common council of said city, at a meeting of the same held on the 15th day of January, 1877, did agree, by resolution or motion, to join the said company in a memorial to the Legislature, asking for an enabling act to make valid and binding in all its provisions the contract between the city and said company, as set forth in Ordinance No. 51.

8. We have further considered the effect of the passage of the bill on the prosperity of the State, and the city of Indianapolis. It will no doubt prove to be of great benefit to both.

The legal status of the agreement between the city and company as it now stands is, in our opinion, in the main valid and binding. But a recent decision of the Supreme Court has suggested a doubt whether certain of the conditions for the security of the city of Indianapolis are binding upon the said company, and whether, in the absence of legislation, the contract is not binding upon the city without having the advantage of the provisions intended to benefit her.

We further submit, that we have considered the question of the legality of said Ordinance No. 51, and the acceptance thereof by said company as affected by the subsequent attempt to reconsider the same; and we are of opinion that as said ordinance was declared to be "in force from and after its passage and filing with the Mayor of said city a certified copy from the records of the board of directors of said company accepting the terms and conditions therein set forth," the said contract was completed and consummated upon the acceptance thereof by said company, and the filing with the mayor of the certified copy aforesaid, and that the same was in nowise affected by the subsequent attempt at a reconsideration by the common council of said city.

The establishment of Union Stock-yards at our State capital, as provided in the agreement, taking into consideration the natural advantages of the city, her excellent railroad accommodations, extending as they do in every direction through the State, and located as it is in one of the best agricultural regions in the United States, and in the most direct line of railway communication from the great grass-producing and stock-raising country of the West to the Atlantic cities, these advantages encouraged by the enterprise proposed in this bill would doubtless make Indianapolis one of the best live-stock markets in the West, which to the farming and stock-raising interests of the State of Indiana would be of great value.

The transfer railroad would in a great measure relieve the streets and avenues of the city of Indianapolis from the frequent blockades, caused by the heavy freight trains, and thereby facilitate the immense passenger and freight business of this locality, and the combined enterprise would no doubt do much to encourage the manufacturing interests of the city, increase its population, and add largely to its wealth.

Your committee recommend that the first section of the bill be amended by adding thereto the following: "And the stipulation in

the proposition of the said Union Railroad Transfer and Stock-yard Company of the 30th of August, 1876, to the Mayor of the city of Indianapolis, that it would bind itself to commence work within thirty days after the acceptance of said proposition by the city of Indianapolis, shall be deemed to have been complied with if the said Union Railroad Transfer and Stock-yard Company shall commence said work within thirty days from and after the taking effect of this act. And we recommend that the bill when so amended do pass.

Mr. Viehe and Langdon, from the committee on judiciary, submitted the following minority report :

MR. SPEAKER :

The undersigned of your committee on judiciary to whom was referred House Bill No. 430 and other matters relating to a proposed donation by the city of Indianapolis to the Union Railroad Transfer and Stock Yard Company, not being able to agree with the majority of the committee, respectfully beg leave to submit the following minority report :

The act of 1873 amending section 60 of the law for the incorporation of cities, provides that a city may subscribe to the stock of a railroad, and that it may make donations in money or city bonds to aid in the construction of the road, but in either case a majority of the resident freeholders must petition. When a proper petition is filed the council has no discretion, it is the mere instrument or agent under the law, to carry into effect the will of the petitioners, and cannot add terms or conditions not provided for in the petition, and in our opinion all the terms of the petition must stand or fall together ; if the petitioners ask a donation to be made on terms not authorized by law, then it is an instrument on which no action can be had by the council. In this case a majority of the resident freeholders presented to the common council a petition in substance as follows :

First. Petitioning that the city make a donation in aid of the construction of the railroad.

Second. The so called donation to be \$500,000 of seven per cent. twenty years bonds, to be divided when certain portions of the road and the stock yards are completed.

Third. At the time the bonds are delivered, the company shall agree with the city that it will promptly pay the interest and principal of the bonds, and shall, at the same time, execute a first

mortgage to the city on its railroad, franchises, road-bed, tracks, switches, rolling stock, stock yards and stock yard lands, not less than one hundred acres, to reserve the performance of the agreement and save the city harmless from all liability on account of her bonds.

On the 16th day of October, 1876, the common council passed an ordinance granting the prayer of the petition, and providing :

First. The bonds be prepared and placed in the hands of trustees.

Second. That the bonds shall be delivered to the company when the stock yards and certain portions of the road shall have been completed, and when the company shall have expended a given amount of money, exceeding the amount of the bonds. At the same time, the company shall deliver to the city its bonds, in all respects the same as the city bonds, except that the interest and principal thereof shall be payable one month before the interest and principal of the city bonds fall due ; also, that the company shall execute a first mortgage on the property before mentioned, to secure the payment of its bonds and to secure the performance of all its agreements with the city, both present and future.

Third. That the common council shall be entitled to elect two directors of the company until the bonds are fully paid.

Fourth. That all persons doing business on or along the road, shall have facilities for switches, and shall have their freight carried at through rates.

Fifth. That the ordinance shall be in force from and after its passage and the filing of its acceptance by the company with the Mayor.

The acceptance was filed with the Mayor October 17, 1876.

At the next meeting of the common council a motion was made and adopted to reconsider the vote by which the ordinance had passed. The rules of procedure adopted by council provide for this motion at the first meeting after an ordinance has been passed.

The provision in the ordinance that it should be in force on filing the acceptance with the mayor, is in conflict with the report of the rule of procedure. But when a legislative body, in passing an act, complies with the rules prescribed by the higher authority under which it acts, its proceedings are valid, although it violate the spirit and letter of its own rules. The vote to reconsider is, therefore, of no effect.

The substantial rights of the parties depend on the question

whether the petition is such as the law authorizing, in addition to subscribing to stock, a city may make donations in money or bonds, but can not aid the company in others ways. In our opinion the petition does not pray for a donation of either. The effect of the petition is that as between the city and the company the latter shall be the debtor for the money to be raised on the bonds. The city is to give nothing and pay nothing. How then can it be said that she is to make a donation? If she should ultimately pay anything, this would be contrary to what is desired and contemplated by the petitioners, it would be to make good the default of the company. The Legislature in passing the act may have purposely and wisely omitted to authorize transactions like this. It is easy to obtain signatures to petitions to authorize the contracting of debts, when the promise is held out that some other person or corporation will pay these, but difficult to obtain the same names when it is understood that the municipality which contracts must also pay; in the end the result is frequently the same. This is one reason why donations may be authorized and the issue of bonds by the city to be paid by the company may not be.

We are therefore of opinion that the petition is not such as the law authorizes, and that all proceedings based thereon are void, and recommend that the bill lie on the table.

Mr. Copeland moved the previous question, which was seconded by the House, and the main question ordered.

The question being upon the adoption of the minority report.

The ayes and noes were demanded by Messrs. Kennedy of Rush and Reno.

Those who voted in the affirmative were Messrs. Branyan, Butler, Coffman, Freeman, Hall, Harris, Henderson, Langdon, Peelle, Riley, Thompson of Elkhart and Viehe—12.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girtton, Gossman, Grubbs, Guthrie, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Perigo, Priest, Rea, Reno,

Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr Speaker—87.

So the minority report was not adopted.

The majority report was then concurred in.

Mr. Carlton moved that the bill be considered engrossed, read a third time and put upon its passage.

Which was agreed to.

House Bill No. 430. A bill to legalize a certain ordinance of the Common Council of the city of Indianapolis therein mentioned, designated as Ordinance No. 51, and passed October 16, 1876, as well as the acceptance thereof by the Union Railroad Transfer and Stock Yard Company, and to validate the contract embraced in said ordinance, and in the acceptance thereof.

Which was read the third time.

The question being, shall the bill pass?

Those who voed in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hatfield, Houghton, Hauss, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Perigo, Priest, Rea, Reno, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—86.

Those who voted in the negative were Messrs. Branyan, Butler, Coffman, Freeman, Hall, Harris, Henderson, Langdon, Peelle, Riley, Swayzee, Thompson of Elkhart and Viehe—13.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

The hour having arrived for the consideration of the special order, being House Bill No. 440, the same was taken up, it having heretofore been read a third time.

Mr. Leeper moved that the further consideration of the bill be postponed until to-morrow at 2 P. M.

Mr. Chawner moved to lay the motion to postpone upon the table.

Which was not agreed to.

The motion to postpone was then agreed to.

The order of business was resumed.

Mr. Grubbs from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 90, introduced by Mr. Harper, entitled "An act relating to the rights of certain persons," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be amended by striking out all after the enacting clause, and inserting the following :

Section 1. That the legal disabilities of every married woman in the State of Indiana in consequence of her coverture, be and the same is hereby removed, so far as relates to her own separate property, with rents, issues and profits thereof : *Provided, however,* That a married woman shall have no power to mortgage or sell and convey her lands, except by deed, in which her husband shall join.

Section 2. A married woman engaged in any trade, profession or avocation in her own name or in the name of another person, for her benefit, by the consent of her husband, express or implied, while they live together as husband and wife, or without his assent if not so living together, may sue and be sued as a *feme sole* ; and the property of such trade, profession or avocation, and her earnings therein, together with her separate property, shall be liable for her debts contracted in said trade, profession or avocation.

Section 3. All laws coming in conflict with this act, are hereby repealed.

And your committee recommend that said bill, when so amended, do pass.

Mr. Morgan moved that the report of the committee be laid on the table.

The ayes and noes were demanded by Messrs. Albert and Morgan.

Those who voted in the affirmative were Messrs. Ames, Bumgarner, Carr, Claypool, Collins, Conley, Cooley, Davis, Endsley,

Freeman, Fromm, Garver, Girton, Gossman, Houghton, Little, Madden, Mathews, Morgan, McCarty, Paige, Priest, Reno, Riley, Stewart and Thomas—26.

Those who voted in the negative were Messrs. Albert, Asken, Baxter, Benr, Branyan, Butler, Cary, Carlton, Carson, Chawner, Coffman, Cole, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Elwell, Foster of Allen, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Marsh, Merriman, Moorman, Morrison, McGaughey, Oglebay, Peelle, Perigo, Rea, Sailors, Scott, Smith, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—65.

So the motion to lay the report on the table did not prevail.

Mr. Lehman moved the previous question.

Which was seconded, and the main question ordered, being upon concurring in the report of the committee, whereupon the report of the committee was concurred in, and the bill ordered to be engrossed.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills and resolutions, to-wit :

Engrossed House Bill No. 5. An act to legalize the subscriptions of the city of Vincennes to the capital stock of the Vincennes Draw-bridge Company, and the bonds issued to pay the same, and the taxes levied and assessed for the payment thereof, and to authorizes to be levied, assessed and collected for the payment of such bonds as yet remain unpaid.

Engrossed House Joint Resolution No. 7. Instructing our Senators and Representatives to procure the enactment of a law restoring the silver dollar of the coinage of 1792, to be a legal tender for payment of all debts.

And the same are herewith submitted to the House of Representatives for enrollment and the signature of the Speaker thereof.

Engrossed Senate Bill No. 14. An act to provide for township election, and repealing all laws inconsistent therewith.

Engrossed Senate Bill No. 29. An act to legalize defective organizations of corporations in certain cases.

Engrossed Senate Bill No. 56. An act entitled an act to amend an act entitled "An act to incorporate the Wabash Railroad Company," approved February 6, 1851.

Engrossed Senate Bill No. 63. An act to change the name of the Evansville and Crawfordsville Railroad Company.

Engrossed Senate Bill No. 80. An act to amend sections 1 and 4 of an act entitled "An act supplementary and amendatory of an act entitled 'an act to provide for a uniform assessment of property and for the collection and return of taxes thereon,'" approved March 13, 1875, and declaring an emergency.

Engrossed Senate Bill No. 241. A bill to amend sections 1 and 13 of an act entitled "An act to establish superior courts, defining their jurisdiction and providing for the election and compensation of judges thereof," approved February 15, 1871, and supplemental thereto.

And the same are herewith submitted to the House for its action thereon.

Also, the following concurrent resolution, to-wit :

Resolved by the Senate, the House concurring therein, That the Senate and House of Representatives will, on Friday the 23d day of February, 1877, meet in joint convention in the Hall of the House of Representatives at 10 o'clock A. M., for the purpose of electing the following officers, to-wit :

One Commissioner of the Insane Asylum.

One Trustee of the Blind Asylum.

One Trustee of the Deaf and Dumb Asylum.

One Trustee of the Soldiers' Orphans' Home.

One President of the Board of Benevolent Institutions.

One Librarian.

Three Directors of the Prison North.

One Director of the Prison South.

And the same is respectfully submitted to the House of Representatives for its concurrence therein.

Mr. Craft entered a motion to reconsider the vote by which Senate Bill No. 43 was lost on yesterday.

Pending the call of the committees for reports at the committee on judiciary, on motion by Mr. Carlton, the House adjourned.

AFTERNOON SESSION,

THURSDAY, February 22, 1877.

The House met with the Speaker in the chair.

By unanimous consent Mr. Yaryan, from the committee on ways and means, submitted the following report, to collect released taxes :

MR. SPEAKER :

Your committee of ways and means, to whom was referred House Bill No. 230, have had the same under consideration, and direct me to report.

This is a bill to amend the act of 1875, amending the 269th section of the assessment law of 1872. This section provides for the assessment by the county auditor of taxes which have been unjustly released. The amendatory act provides that this shall not apply to taxes which have been omitted by reason of a reduction in the value of property by any district or State Board of Equalization, although the action of such board may have been declared illegal. The purpose of this bill is to remove this restriction, and to allow the collection from some sixteen counties of taxes sufficient to reimburse the State for the reduction made by an illegal board. The State has heretofore repaid to those counties whose assessments were increased, the amount of their overpayments, and it would seem but just to collect it again from those counties which were reduced.

But on the other hand, the State having declared by law that this collection shall not be made, it is at least doubtful if it can recall this decision. It is also doubtful if the reduction made by the board was not just in itself, and therefore rather worthy of being confirmed than of being disturbed. And finally, all the trouble in the case having come from the imperfection of the State law, it is not sound policy for the State to involve her counties and citizens in lawsuits to recover taxes once relinquished. Your committee are unanimously of the opinion that the counties and citizens are

entitled to the benefit of all doubts, that the State can best afford to bear the loss, and that the present law should not be disturbed.

We therefore recommend that the bill be laid upon the table.

The question being upon concurring in the report of the committee, the ayes and noes were demanded by Messrs. Viehe and Langdon.

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Ellwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—84.

Mr. Priest voting in the negative.

So the report was concurred in, and the bill laid upon the table

Mr. Yaryan, from the committee on ways and means, submitted the following report ;

MR. SPEAKER :

Your committee to whom was referred House Bill No. 258, have had the same under consideration, and direct me to report : That this is a bill proposing to subject to taxation the property of churches, charitable societies and schools, not owned by the civil authorities.

Were the question an original or abstract question of rights, perhaps there would be a general acquiescence in the principle that all property should equally bear the burdens of taxation. But in view of the fact that civil government is the heritage of the ages, whose customs can not be suddenly reversed without injury ; that all government exempt from taxation property exclusively devoted to religious and charitable uses ; that such has been the policy of our country from its origin ; that there is no pressing public sentiment demanding a change, while the proposed legislation would shock

the sentiments of many. Your committee are disposed to take conservative ground. If, after full discussion, the people desire such a change of policy, they can easily make their wishes known to their representatives. Until then, your committee recommend that the bill lie upon the table.

The question being upon concurring in the report of the committee.

The ayes and noes were demanded by Messrs. Lockhart and Swayzee.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Houghton, Hauss, Henderson, Highway, Harper, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Wells, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—82.

Those who voted in the negative were Messrs. Hall, Hulet, Lehman, Oglebay, Priest, Stewart and Reno—7.

So the report was concurred in, and the bill laid upon the table.

Under the order adopted yesterday, the House went into committee of the whole House, with Mr. Viehe in the chair, for the consideration of the special order, being House Bill No. 482.

After the bill had been considered by all its sections, the committee rose, and through its chairman submitted the following report:

MR. SPEAKER:

I am directed to inform the House that the committee of whole House have had under consideration House Bill No. 482, and have directed me to report the same back to the House and recommend the adoption of the accompanying amendments thereto:

Amend section 1 of said bill by inserting after the enacting clause the following: "That for the purpose of organizing to

build a new State House which shall not exceed two millions of dollars in its cost the Governor and four other persons, to be selected as below set forth, shall constitute "The Board of State House Commissioners." Said four persons shall be selected, two by the House of Representatives and two by the Senate, at the present session.

Amend section 2 of said bill, in line six thereof, by inserting after the word "shall" the following: "from the same party as his predecessor."

Amend section 3 by striking out the word "yearly" in line 5, and insert in lieu thereof the word "semi-annually."

Strike out all of section 5, and insert the following in lieu thereof: Section 5. The Board of State House Commissioners shall, within thirty days after their appointment and qualification, meet and organize by the appointment of a secretary and the adoption of by-laws for the government of such Board. Such Commission shall proceed at once to select a plan for the new State House in the following manner: the said Board shall cause the architects, whose plan are now in the possession of the State, to appear before the Board with their plans, specifications and estimates, together with all drawings and modifications which may have been made by them, and such Board shall proceed to examine said plans, and make a selection therefrom, if said plans are, in the judgment of such Board, found suitable for a new State House. In the examination and selection of such plans, the Board shall have power and authority to call to their assistance such persons as they may deem competent to give advice, either as to the plans or material to be used in such building, and may, for that purpose, examine skilled persons under oath, and such examination shall be reduced to writing by such Board, and such Board shall give preference to the plans of the architects in the order named in the concurrent resolution of the General Assembly of 1875. That is to say, if the plan of Charles Eppinghausen shall be found suitable in all respects, then his plan shall be the plan of said State House. But if the Board shall find said plan unworthy and unsuitable, then they shall, in like manner, examine the plan of J. C. Johnson, and if said Board shall find his plan unworthy and unsuitable, then they shall, in like manner, examine the plan of G. B. F. Cooper, and if said Board shall find his plan unworthy and unsuitable, then they shall, in like manner, examine the plan of E. E. Myers, and if said Board shall find his plan unworthy and unsuitable, then the said Board shall forthwith

cause publication to be made in six different newspapers, two within and four without the State, that at a certain time they will examine the plans and specifications that may be submitted to them by competing architects, and will determine according to law, as soon as practicable, what plan shall be adopted. And each of said competing architects shall submit to the Board a sealed proposal of what fees, salary, or percentage he will charge or expect, provided his plan should be adopted. At the time specified for making the award, the Board of State House Commissioners shall, by appointment, meet with the Joint Committee on Public Buildings, in the city of Indianapolis, and together they shall constitute a council for selecting plans for the building, as herein provided. Before proceeding to make a selection, they shall take and subscribe an oath in substance as follows: I do solemnly swear, or affirm, that I have no pecuniary personal interest whatever in the result of the selection for plan for the new State House, and that I will not be influenced by any personal prejudices or partialities, but will faithfully discharge my duty according to law. The council shall then, after due consideration of the plans and specification submitted, and also having examined the sealed proposals containing the terms of the competing architects, shall then proceed, by a majority vote, to select two of the plans proposed, and shall also select a third one, to be examined in case neither of the first two are adopted, after the council shall adjourn, subject to be called again by the Board of Commissioners. Having made selections, as above provided, the Board shall then call to their assistance one architect of skill in his profession, but who has not submitted a plan for competition; also, one civil engineer, and one builder, of skill and standing in their business, but who shall not become contractors on any part of said State House, and shall cause such architect, civil engineer, and builder, to take an oath that they will faithfully and impartially, and to the best of their judgment, discharge the trust reposed in them; that they have no pecuniary interest, direct or indirect, in any plan submitted to the Commissioners, and that they will keep in confidence all that is so imparted to them. The Commissioners shall then submit to such architect and builder, as experts, the following questions: 1st. Are the plans and specifications here submitted to you correctly and skillfully prepared? 2d. Would a building erected according to these plans and specifications be safe, permanent, and of good mechanical construction? Can the building be erected for the amount of the architects' estimates? and may also submit such

other questions as may be deemed pertinent. If the answers of the experts are unfavorable, the plan or plans shall, in the discretion of the Board, be set aside, and others submitted, until the Board is satisfied, or until all the plans selected by the council are exhausted, provided that the experts employed shall not give judgment or advice on any matter not submitted to them. The Commissioners are authorized to pay such experts such compensation as may be agreed upon in advance: *Provided*, No plan shall be adopted the cost of which shall exceed two million dollars. The selection of the plan shall be with reference to its cost, its adaptation to the uses intended, its permanence and indestructability, and a due regard to its architectural appearance.

Amend section 8 by striking out the word "yearly" in line 8 (printed bill) and insert in lieu thereof the words "semi-annually."

Strike out all after section 11 and insert the following in lieu thereof: "The architect selected for the building shall give bond in the sum one hundred thousand dollars, conditioned that he shall faithfully discharge the duty of his office, and another bond of like amount that the cost of the State House shall not exceed the sum of two million of dollars, and he shall be liable on his bond for all losses or damages that may be incurred on account of his violating any of the provisions of this act, or on account of his neglect or incapacity for the duties of his office; he shall receive such compensation as may be agreed upon in advance: *Provided*, No contract with an architect shall be made allowing more than three per cent. commission as full compensation for plans, specifications and labor."

Strike out section 12 of said bill.

Strike out all of section 14.

The question being upon concurring in the report of the committee of the whole house.

The ayes and noes were demanded by Messrs. Peelle and Compton.

Those who voted in the affirmative were Messrs. Adams, Baxter, Bumgarner, Cary, Carlton, Carson, Chawner, Claypool, Cole, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Girton, Grubbs, Guthrie, Harris, Hatfield, Hosmer, Hubbard, Kennedy of Rush, Lockhart, Moorman, Morgan, McGaughey, Paige, Peelle, Sailors, Scott, Smith, Thomas, Thompson of Howard, Thomson of Miami, Viehe and Wells—36.

Those who voted in the negative were Messrs. Albert, Ames,

Ashby, Askren, Austin, Benz, Branyan, Butler, Carr, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Davis, Foster of Allen, Freeman, Fromm, Garver, Gossman, Hall, Harper, Hauss, Henderson, Highway, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Lehman, Little, Madden, Marsh, Mathews, Merriman, Morrison, McCarty, Oglebay, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thompson of Elkhart, Warrum, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—61.

So the report was not concurred in.

Mr. Langdon moved that the bill lie on the table.

The ayes and noes were demanded by Messrs. Scott and Lehman.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Davis, Foster of Allen, Freeman, Garver, Gossman, Hall, Harper, Hauss, Henderson, Highway, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Morrison, McCarty, Oglebay, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thompson of Elkhart, Viehe, Warrum, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker.—66.

Those who voted in the negative were Messrs. Adams, Branyan, Carson, Chawner, Cole, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Girton, Grubbs, Guthrie, Harris, Hatfield, Hosmer, Hubbard, Kennedy of Rush, Lehman, Moorman, Morgan, McGaughey, Paige, Peelle, Sailors, Scott, Smith, Thomas, Thompson of Howard, Thomson of Miami and Wells—31.

So the bill was laid on the table.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed Senate Bill No. 167. An act to rest the inchoate rights of married woman in certain cases, when deserted by their husbands.

Engrossed Senate Bill No. 168. An act to legalize the actions of

the Board of Trustees of Concordia College, at Fort Wayne, Allen county, Indiana.

Engrossed Senate Bill No. 177. An act providing for the election and appointment of supervisors of highways and prescribing certain of their duties, and those of county and township officers in relation thereto, and to repeal all laws inconsistent therewith.

Engrossed Senate Bill No. 182. An act to amend sections 95, 96 and 97 of an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and the heirs thereof, and certain forms to be used in such settlements," approved June 17, 1852, and to legalize sales of real estate heretofore made by foreign administrators.

Engrossed Senate Bill No. 189. An act concerning the power of cities over harbors, channels and other water thoroughfares, and over docks and dock property, and declaring an emergency.

Engrossed Senate Bill No. 195. An act amending section 48 of an act entitled "An act fixing fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.

Engrossed Senate Bill No. 200. An act legalizing the issue of certificates by the board of school trustees of the city of Logansport, providing for the redemption of the same and other matters connected thereto.

Engrossed Senate Bill No. 237. An act providing for the punishment of persons in the possession of stolen property in this State having stolen the same in another State or territory of the United States or in any foreign country, and for the punishment of receivers of stolen property in certain cases.

And the same are herewith submitted to the House for its action thereon.

I am also directed to submit to the House of Representatives the following acts, for the signature of the Speaker thereof, viz :

Enrolled Senate Act No. 15, Senate of Indiana. An act to amend section 528 of an act entitled 'an act to revise and simplify the rules, practice and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for

the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Enrolled Act No. 25, Senate of Indiana. An act to legalize the official acts, orders, ordinances, regulations and proceedings passed, adopted and executed by the Board of Trustees of the town of Marion, Grant county, Indiana, under and in pursuance of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852, and declaring an emergency.

Enrolled Act No. 104, Senate of Indiana. An act to legalize the official acts of the Board of Trustees of the town of Shoals, Martin county, Indiana.

And the same are respectfully submitted.

Pending the call of committees for reports at the committee on judiciary, on motion by Mr. Mathews, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

FEBRUARY 23, 1877.

The House met, with the Speaker in the chair.

Prayer was offered by Rev. Warren Randolph, D. D., of the First Baptist Church.

On motion by Mr. Chawner, the reading of the journal of yesterday's proceedings was dispensed with.

On motion by Mr. Grubbs, the following Senate concurrent resolution:

Resolved by the Senate, the House concurring therein, That the Senate and House of Representatives will, on Friday the 23d day of February, 1877, meet in joint convention in the Hall of the House of Representatives at 10 o'clock A. M., for the purpose of electing the following officers, to-wit: One commissioner of the Insane Asylum, one trustee of the Blind Asylum, one trustee of the Deaf and Dumb Asylum, one trustee of the Soldiers' Orphans'

Home, one president of the Board of Benevolent Institutions, one Librarian, three directors of the Prison North and one director of the Prison South.

Which was taken up and adopted.

Mr. Dannettell moved to suspend the order of business and take up House Bill No. 350.

Mr. Garver moved that the motion lie upon the table.

The ayes and noes were demanded by Messrs. Spencer and Garver.

Those who voted in the affirmative were Messrs. Albert, Ames, Baxter, Benz, Butler, Carson, Chawner, Claypool, Endsley, Freeman, Garver, Gossman, Harris, Hubbard, Johnson of Dearborn, Kimmell, Koontz, Lane, Little, Merriman, Morgan, Priest, Sailors, Scott, Smith, Spencer, Swayzee, Thompson of Elkhart and Yaryan—29.

Those who voted in the negative were Messrs. Adams, Ashby, Askren, Austin, Bumgarner, Cary, Carlton, Carr, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crum-packer, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Fromm, Girton, Grubbs, Hall, Harper, Hatfield, Highway, Hosmer, Hulet, Johnson of Carroll, Kennedy of Rush, Langdon, Lanham, Leeper, Lehman, Marsh, Mathews, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Stewart, Thomas, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—60.

So the motion to lay the motion upon the table did not prevail, and the motion to take up the bill prevailed.

On Mr. Viehe's motion, the bill was amended by striking out the emergency clause, and as amended, ordered to be engrossed.

REPORTS FROM COMMITTEES.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER:

Your committee on judiciary, to which was referred House Bill No. 78, introduced by Mr. Baxter, entitled "An act to amend section 5 of an act entitled 'an act touching the marriage relations, and liabilities incident thereto,'" have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the bill be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 139, introduced by Mr. Harper, entitled "An act fixing the liabilities of married women in certain contracts," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Mr. Collins moved that a committee of three be appointed to inform the Senate that the House was ready to go into joint convention.

Which was agreed to.

Whereupon, the Speaker appointed Messrs. Collins, Grubbs and Carlton such committee.

Mr. Marsh presented the claim of B. Rosenthal & Co., against the State.

Which was referred to the committee on claims without reading.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 115, introduced by Mr. Dannettell, entitled "An act to repeal an act therein named," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be amended by striking out all after the enacting words and inserting the following :

That the said act be and the same is hereby repealed, and the survey made by the commissioners appointed as provided for by said act, and all proceedings had and acts performed by them are hereby declared to be null and void, and shall not be admissible in evidence in any court of this State as proof of the boundary line between this State and the State of Kentucky.

Section 2. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage. And it is further recommended by said committee that said bill, when so amended, do pass.

Which report was concurred in and the bill, as amended, ordered to be engrossed.

Mr. Langdon, from the committee on judiciary submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 417, introduced by Mr. Ames, being a bill for an act to authorize the organization of clubs to establish libraries and reading rooms in the several counties in the State, and to authorize such clubs to erect and maintain gymnasiums and such other entertainment as they may think proper, have had the same under consideration, and instructed me to report the same back, with the following amendment, to-wit:

Strike out the word "county," in section 1 of said bill, and insert in lieu thereof the words "cities or towns."

2. Between the words "maintaining" and "clubs" insert "lecture associations." And the committee further recommend that when the bill is so amended it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

The hour having arrived for the meeting of the joint convention, the Senate appeared and was seated in front of the Speaker's desk.

The convention was called to order by the President thereof, Lieutenant-Governor Gray.

The roll of the Senate was called by the Secretary of the Senate. The following Senators answered to their names:

Messrs. Baxter, Beardsley, Bearss, Bell, Burrell, Cadwallader, Culbertson, Davidson, Dice, Doxey, Donham, Dykeman, Fowler, Given, Hackleman, Harris, Hefron, Heilman, Henderson, Hendricks, Johnson of Floyd, Johnston of Parke, Kent, LaRue, Major, Maxwell, Mercer, Moore, Olds, Peed, Peterson, Reeve, Reiley, Saringhausen, Shirk, Skinner, Stockslager, Streight, Tarlton, Taylor, Tobin, Treat, Trussler, Underwood, Weir, Wilson and Winterbotham—47.

The Principal Clerk of the House then called the roll of the House, whereupon those who answered to their names were:

Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell,

Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker.—98.

The Secretary of the Senate read the concurrent resolution under which the joint convention had convened.

The President of the convention announced nominations to be in order for one Commissioner for the Indiana Hospital for the Insane.

Mr. Smith nominated George F. Chittenden of Madison county.

Senator Bell nominated W. E. Kennedy of Madison county.

Mr. Claypool nominated H. Z. Leonard of Cass county.

No other nominations being made, the Secretary of the Senate called the roll the Senate and the Principal Clerk of the House the roll of the House.

On the part of the Senate those who voted for Mr. Chittenden were:

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Harris, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—23.

On the part of the House those who voted for Mr. Chittenden were:

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—54.

On the part of the Senate those who voted for Dr. W. O. Kennedy of Madison county, were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Grove, Hefron, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Reiley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—25.

On the part of the House those who voted for Mr. Kennedy were :

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warum and Zehring—43.

On the part of the Senate those who voted for Dr. H. Z. Leonard, was Mr. Majors—1.

On the part of the House, Mr. Claypool voting for Mr. Leonard.

Whole number of votes cast for James F. Chittenden :

On the part of the Senate	23
On the part of the House.....	54
Total.....	77

Whole number of votes cast for W. E. Kennedy :

On the part of the Senate.....	25
On the part of the House	43
Total.....	68

Whole number of votes cast for H. Z. Leonard :

On the part of the Senate.....	1
On the part of the House	1
Total	2

Necessary to a choice 74

George F. Chittenden having received a majority of all the votes cast, the President of the Convention declared him duly elected to the office of Commissioner of the Indiana Hospital for the Insane for the term prescribed by law.

The President of the Convention announced nominations for the office of Trustee of the Asylum for the Blind to be in order.

Mr. Craft nominated Dr. John M. Kitchen, of Marion county.

Senator Bell nominated Cortez Ewing, of Decatur county.

Mr. Claypool nominated A. G. Richardson, of Fountain county.

On the part of the Senate, those who voted for Dr. Kitchen were :

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Harris, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—23.

On the part of the House, those who voted for Dr. Kitchen were :

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker.—54.

On the part of the Senate, those who voted for Cortez Ewing of Decatur county, were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Grove, Hefron, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Reiley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—25.

On the part of the House, those who voted for Cortez Ewing were :

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warrum and Zehring.—43.

On the part of the Senate, Mr. Majors voted for A. G. Richardson.—1.

On the part of the House, Mr. Claypool voted for A. G. Richardson.—1.

Whole number of votes cast for Dr. Kitchen :

On the part of the Senate.....	23
On the part of the House.....	54
Total.....	77

Whole number of votes cast for Mr. Ewing :

On the part of the Senate.	25
On the part of the House.....	43
Total.....	68

Whole number of votes cast for Mr. Richardson :

On the part of the Senate.....	1
On the part of the House.....	1
Total.....	2

Necessary to a choice 74

Dr. John M. Kitchen having received a majority of all the votes cast was declared by the President of the Convention duly elected Trustee of the Asylum for the Blind for the term prescribed by law.

The President of the Convention announced nominations for Trustee of the Asylum for the Deaf and Dumb to be in order.

Mr. Cole nominated James B. Kenner, of Huntington county.

Senator Bell nominated John E. Lamb, of Vigo county.

Mr. Claypool nominated Morton C. Rankin, of Vigo county.

On the part of the Senate, those who voted for Mr. Kenner were :

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Harris, Heilman, Johnson of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—23.

On the part of the House, those who voted for Mr. Kenner were

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Latham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—54.

On the part of the Senate, those who voted for John E. Lamb were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Grove, Hefron, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Riley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—25.

On the part of the House, those who voted for Mr. Lamb were :

Messrs. Albert, Ashby, Asken, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulett, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warrum and Zehring—43.

On the part of the Senate, Mr. Majors voted for Morton C. Rankin—1.

On the part of the House, Mr. Claypool voted for Morton C. Rankin—1.

Whole number voting for James B. Kenner :

On the part of the Senate.....	23
On the part of the House.....	54
Total.....	77

Whole number voting for John E. Lamb :

On the part of the Senate.....	25
On the part of the House.....	43
Total.....	68

Whole number voting for Morton C. Rankin :

On the part of the Senate.....	1
On the part of the House.....	1
Total.....	2

Necessary to a choice..... 74

James B. Kenner having received a majority of all the votes cast was declared by the President of the Convention duly elected Trustee of the Asylum for the Deaf and Dumb for the term prescribed by law.

The President of the Convention announced nominations for Trustee of the Soldiers' Orphans' Home to be in order.

Senator Shirk nominated Ellison Williams, of Henry county.

Senatar Bell nominated Frank R. Dorman, of Dearborn county.

Mr. Claypool nominated Allen W. Lewis, of Wayne county.

On the part of the Senate, those who voted for Mr. Williams were :

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Harris, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—23.

On the part of the House, those who voted for Mr. Williams were :

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Latham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—54.

On the part of the Senate, those who voted for Frank R. Dorman were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Grove, Hefron, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Reiley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—25.

On the part of the House, those who voted for Mr. Dorman were :

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warrum and Zehring.—43.

Senator Majors, on the part of the Senate, voting for Mr. Lewis—1.

Mr. Claypool, on the part of the House, voting for Mr. Lewis—1.

Whole number of votes cast for Mr. Williams :

On the part of the Senate.....	23
On the part of the House.....	54
Total.....	77

Whole number of votes cast for Mr. Dorman :

On the part of the Senate.....	25
On the part of the House.....	43
Total.....	68

Whole number of votes cast for Mr. Lewis :

On the part of the Senate.....	1
On the part of the House.....	1
Total... ..	2

Necessary to a choice..... 74

Ellison Williams having received a majority of all the votes cast, the President of the Convention declared him duly elected Trustee of the Soldiers' Orphans' Home for the term prescribed by law.

The President of the Convention announced nominations for the office of State Librarian to be in order.

Mr. Adams nominated Richard A. Conner, of Marion county.

Senator Bell nominated Lycurgus Dalton, of Lawrence county.

Mr. Claypool nominated Mrs. Anna B. Campbell, of Parke county.

On the part of the Senate, those who voted for Mr. Conner were :

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—23.

On the part of the House, those who voted for Mr. Conner were :

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanhams, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—54.

On the part of the Senate, those who voted for Lyeurgus Dalton were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Grove, Hefron, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Riley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—25.

On the part of the House, those who voted for Mr. Dalton were :

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warrum and Zehring—42.

On the part of the Senate, Mr. Majors voted for Mrs. Campbell—1.

On the part of the House, Messrs. Claypool and Cooley voted for Mrs. Campbell—2.

Whole number of votes cast for Mr. Conner :

On the part of the Senate.....	23
On the part of the House.....	54
Total.....	78

Whole number of votes cast for Mr. Dalton :

On the part of the Senate.....	25
On the part of the House.....	42
Total.....	67

Whole number voting for Mrs. Campbell :

On the part of the Senate.....	1
On the part of the House.....	2
Total.....	3

Necessary to a choice..... 74

Richard A. Conner having received a majority of all the votes cast was declared by the President of the Convention duly elected State Librarian for the term prescribed by law.

The President of the Convention announced nominations for President of the Board of Benevolent Institutions to be in order.

Mr. Peelle nominated Dr. P. H. Jameson, of Marion county.

Senator Bell nominated Addison F. Armstrong, of Howard county.

Mr. Claypool nominated Charles H. Test, of Marion county.

On the part of the Senate, those who voted for Dr. Jameson were :

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Grove, Hackleman, Harris, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—24.

On the part of the House, those who voted for Dr. Jameson were :

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Car-son, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanh-am, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thompson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—54.

On the part of the Senate, those who voted for Mr. Armstrong were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Hefron, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Reiley, Sarnighausen, Skinner, Stockslaker, Tarlton, Wilson and Winterbotham—24.

On the part of the House, those who voted for Mr. Armstrong were :

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, War-rum and Zehring—43.

Mr. Majors, on the part of the Senate, voting for Mr. Test.

Mr. Claypool, on the part of the House, voting for Mr. Test.

Whole number voting for Dr. Jameson :

On the part of the Senate	24
On the part of the House	54
Total	78

Whole number voting for Mr. Armstrong :

On the part of the Senate.....	24
On the part of the House.....	43
Total.....	67

Whole number voting for Mr. Test :

On the part of the Senate.....	1
On the part of the House.....	1
Total.....	2
Necessary to a choice.....	74

Dr. Patrick H. Jameson, having received a majority of all the votes cast, was declared by the President of the Convention duly elected President of the Board of Benevolent Institutions for the term prescribed by law.

The President of the Senate announced nominations for Directors of the State Prison North to be in order.

Mr. Copeland nominated John W. Baker, of Whitley county.

Senator Skinner nominated H. E. Wadsworth, of Laporte county.

Mr. Claypool nominated Archibald Johnson, of Montgomery county.

On the part of the Senate, those who voted for Mr. Baker were :

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Harris, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—23.

On the part of the House, those who voted for Mr. Baker were :

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of

Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker.—54.

On the part of the Senate those who voted for H. S. Wadsworth were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Grove, Hefrom, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Reiley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—25.

On the part of the House those who voted for Mr. Wadsworth were :

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warum and Zehring—43.

Mr. Majors, on the part of the Senate, voting for Mr. Jonhson.

Mr. Claypool, on the part of the House, voting for Mr. Johnson.

Whole number voting for Mr. Baker :

On the part of the Senate.....	23
On the part of the House... ..	54
Total.....	77

Whole number voting for Mr. Wadsworth :

On the part of the Senate.....	25
On the part of the House.....	43
Total.....	68

Whole number voting for Mr. Johnson :

On the part of the Senate.....	1
On the part of the House.....	1
Total.....	2
Necessary to a choice.....	74

John W. Baker having received a majority of all the votes cast, was declared, by the President of the Convention, duly elected a Director of the State Prison North for the term prescribed by law.

The President of the Convention announcing further nominations for Directors of the State Prison North to be in order,

Mr. Crumpacker nominated Charles R. Luther, of Porter county.

Senator Skinner nominated Gottlieb Bloch, of Porter county.

Mr. Claypool nominated George H. Brown, of Jasper county.

On the part of the Senate, those who voted for Mr. Luther were:

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Harris, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—23.

On the part of the House, those who voted for Mr. Luther were:

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—54.

On the part of the Senate, those who voted for Gottlieb Bloch were:

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Grove, Hefron, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Reiley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—25.

On the part of House, those who voted for Mr. Bloch were:

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warrum and Zehring—43.

On the part of the Senate, Mr. Majors voted for Mr. Brown—1.

On the part of the House, Mr. Claypool voted for Mr. Brown—1.

Whole number voting for Mr. Luther:

On the part of the Senate..... 23

On the part of the House..... 54

Total.... 77

Whole number voting for Mr. Bloch :

On the part of the Senate.....	25
On the part of the House.....	43
Total.....	68

Whole number voting for Mr. Brown :

On the part of the Senate.....	1
On the part of the House.....	1
Total.....	2

Necessary to a choice..... 74

Mr. Charles R. Luther having received a majority of all the votes cast was declared by the President of the Convention duly elected a Director of the State Prison North for the term prescribed by law.

The President of the Convention announced that further nominations for Directors of the State Prison North were in order.

Mr. Kimmell nominated Robert Dykes, of Noble county.

Senator Bell nominated J. C. Odell, of Carroll county.

Mr. Claypool nominated C. B. Darrow, of Lagrange county.

On the part of the Senate, those who voted for Mr. Dykes were :

Messrs. Baxter Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Harris, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat, Trussler, Underwood and Weir—23.

On the part of the House, those who voted for Mr. Dykes were :

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Langdon, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—54.

On the part of the Senate those who voted for J. C. Odell, of Carroll county, were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykemen, Fowler, Givan, Hefron, Henderson, Hendricks, Jonson of Floyd, Kent, Maxwell, Peed, Peterson, Keëve, Reiley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—24.

On the part of the House, those who voted for Mr. Odell were :

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warum and Zehring—43.

Mr. Majors, on the part of the Senate, voting for Mr. Darrow.

Mr. Claypool, on the part of the House, voting for Mr. Darrow.

Whole number of votes for Mr. Dykes :

On the part of the Senate..... 23

On the part of the House..... .. 54

Total..... 77

Whole number of votes for Mr. Odell :

On the part of the Senate..... 24

On the part of the House..... 43

Total..... 67

Whole number voting for Mr. Darrow :

On the part of the Senate..... 1

On the part of the House..... 1

Total..... 2

Robert Dykes, having received a majority of all the votes cast, was declared by the President of the Convention duly elected a Director of the State Prison North for the term prescribed by law.

The President of the Convention announced nominations for a Director of the State Prison South to be in order.

Mr. Lanham nominated John W. Linck, of Jefferson county.

Senator Johnson nominated John Horn. of Floyd county.

Mr. Claypool nominated Jonathan Beard, of Floyd county.

On the part of the Senate, those who voted for Mr. Linck were :

Messrs. Baxter, Beardsley, Bearss, Cadwallader, Dice, Doxey, Hackleman, Harris, Heilman, Johnston of Parke, LaRue, Mercer, Moore, Olds, Ragan, Shirk, Streight, Taylor, Tobin, Treat Trussler, Underwood and Weir—23.

On the part of the House, those who voted for Mr. Linck were :

Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lane, Lanham, Little, Lockhart, Moorman, Morgan, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—53.

On the part of the Senate, those who voted for John Horn, of Floyd county, were :

Messrs. Bell, Burrell, Culbertson, Davidson, Donham, Dykeman, Fowler, Givan, Grove, Hefron, Henderson, Hendricks, Johnson of Floyd, Kent, Maxwell, Peed, Peterson, Reeve, Riley, Sarnighausen, Skinner, Stockslager, Tarlton, Wilson and Winterbotham—25.

On the part of the House, those who voted for Mr. Horn were :

Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Homer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Warrum and Zehring—43.

Mr. Majors, on the part of the Senate, voting for Mr. Beard.

Mr. Claypool, on the part of the House, voting for Mr. Beard.

Whole number voting for Mr. Linck :

On the part of the Senate.....	23
On the part of the House.....	53
Total.....	76

Whole number voting for Mr. Horn :

On the part of the Senate.....	25
On the part of the House.....	43
Total.....	68

Whole number voting for Mr. Beard :

On the part of the Senate.....	1
On the part of the House.....	1
Total.....	2
Necessary to a choice.....	74

John W. Linck, having received a majority of all the votes cast, was declared by the President of the Convention duly elected Director of the State Prison South for the term prescribed by law.

The President of the Joint Convention declared that the Convention had completed the business for which it was assembled, and the Senate returned to its Chamber.

Pending the call of the roll at the committee on judiciary, on motion by Mr. Branyan, the House adjourned.

AFTERNOON SESSION,

February 23, 1877.

The House met at 2 o'clock, with the Speaker in the chair.

Mr. Yaryan moved that House Bills Nos. 476 and 143 be taken from the table and referred to a select committee of three.

Which was agreed to, and the Speaker appointed Messrs. Yaryan, Smith and Coffman as such select committee.

The day and hour having arrived, the special order, being the consideration of House Bill No. 440, previously read a third time, was taken up.

Mr. Langdon moved that the vote by which the bill was ordered to be engrossed be reconsidered.

Which was not agreed to.

Mr. Kennedy of Rush moved the previous question.

Which was seconded by the House, and the main question ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Baxter, Butler, Carr, Carson, Chawner, Cole, Compton, Craft, Crumpacker, Davis, Elwell, Foster of Monroe, Freeman, Girton, Grubbs, Hall, Harris, Henderson, Hubbard, Johnson of Carroll, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Little, Lockhart, Mathews, Moorman, Morrison, McGaughey, Peelle, Sailors, Scott, Smith, Swayzee, Thomas, Thomson of Miami, Viehe, Wells, Zimmerman and Mr. Speaker.—44.

Those who voted in the negative were Messrs. Albert, Ashby,

Askren, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Claypool, Coffman, Collins, Conley, Cook, Cooley, Copeland, Dannettell, Endsley, Foster of Allen, Fromm, Garver, Gossman, Harper, Hatfield, Hauss, Highway, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Rush, Lane, Leeper, Lehman, Madden, Marsh, Merriman, Morgan, McCarty, Paige, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Thompson of Howard, Whitehead, Yaryan and Zehring—50.

So the bill was lost.

Pending the consideration of House Bill No. 440, by unanimous consent, Mr. Cooley, from the committee on Prisons, submitted the following minority report.

MR. SPEAKER:

The undersigned, a minority of your committee on prisons, submit the following report:

Dissenting from the majority report on the northern prison.

The committee made a thorough investigation of the accounts of the financial department of the prison by a competent expert, and found it perfectly satisfactory, all the receipts and expenditures being fully satisfied by vouchers sustaining the correctness of the annual reports of the prison. And in this as well as in all of the investigations, the officials of the prison render to the committee all the facilities in their power, courting a full, free and thorough investigation of the prison.

And before proceeding to interview the convicts, we were favored by the Deputy Warden to be present at the lecture of four newly arrived convicts, in the laws, rules and regulations governing the prison, the privileges they were to have, and the punishment to be inflicted for the violation of discipline, which enabled your committee to have a better conception of the management of the prison, and to decide more correctly than they could have done otherwise as regards any complaints from convicts.

Among the privileges given to the convicts, is writing to their friends every two weeks and of receiving all the mail sent, every Saturday night of having the privilege of newspapers and periodicals, literary, scientific and religious, but no political, partisan nor criminal newspapers are allowed, they also have the prison library distributed to them, and exchanged when read, they have the privilege of lights in their cells until the 9 o'clock bell rings, privilege of their friends visiting them and of sending them any article of comfort they choose not inconsistent with the discipline of the prison.

We found the premises throughout to be in good order, the convicts orderly and attentive to their work. Convicts were interviewed in all departments, and all express themselves, perhaps two or three exceptions, as being perfectly satisfied with the treatment received at the hands of the officers of the prison, very many of them voluntarily giving testimony of the kind and humane treatment they received. The committee examined into the food and found that they receive an abundance in quantity, and fully meeting the requirements of the law in quality, of good coarse and wholesome food. Complaints were made of instances where meats were not in a good state of preservation, and the fact was established before the committee that when it came to the knowledge of the officials of the prison, it was shipped back where purchased, or thrown away. The convicts are furnished wheat bread twice a day in rations large enough to satisfy any person, and all the corn bread they want of a good quality, with meats fully filling the requirements of the law, fresh and salt fish, soups and vegetables, such as potatoes, cabbage, beans, onions, cucumbers, pickles and tomatoes. Coffee of a cheap quality at breakfast and supper.

The committee had the testimony of convicts before them that the coffee and the food was better than a great portion of the laboring class get outside, and that if the poor of Indianapolis could have what was left at the table it would be a godsend.

The committee heard complaints from two or three convicts for brutal and inhuman treatment. One Thomas Burke made complaint that he had been severely punished. On full investigation, we ascertained the offense was a brutal attack of a guard, even to the endangering of the guard's life, and this without cause or provocation. We learned that Burke served several terms in penal institutions in other States, and is now owing service in another State, he having killed a guard and escaped; we also had statements from convicts who said they were afraid to work with him in a shop. After his attack upon the guard he took to his cell and when he was called upon to come out to go to the office, he put the authorities of the prison at defiance, threatening their lives—armed with knives and other missiles—when the hose from the water works were turned upon him, and soon as he yielded and gave sign by holding out his hand, he was taken from his cell to the office and punished with the "cats" and afterwards in the "solitary." And the only question is whether any more punishment was inflicted

than was necessary to accomplish the desired result and safety to officials and convicts, of which your committee is unable to say.

Another complaint was made by Charles Stibing, for unjust, brutal punishment. The full investigation establishes these facts: that Stibing refused to obey orders to go outside to work where he was assigned. And contrary to the report of the majority of your committee, the facts were established that the other men with whom Stibing worked went cheerfully on the order, and that the day was mild and not bitter cold. These facts were testified to by Mr. Ford and one of the prison officials. He persistently refused and was punished with the cats until he complied, when punishment ceased and he went as ordered. The fact was established that this man Stibing is now serving his third term in the Northern Prison, has always been stubborn and willful, violating nearly all rules of the prison.

It is the opinion of your committee that this punishment was just and necessary for the maintainance of good discipline.

Complaints are made of the intoxication of Geo. McDowal, the Steward, some convicts stating that he was under the influence of liquor. Others testify that some years since he was accustomed to drink too hard; that he has always at the Prison been in a sober condition, and was a very competent and efficient officer.

The report of the majority, heretofore submitted, states that it was proven by the prisoners and also by the Directors and Warden, that the fresh beef usually issued to the prisoners was of an inferior quality, composed in part of bull-neck, rump pieces and the fleshy parts of cow's heads. With all due respect to the majority of your committee, your minority will say that no such evidence was given by Directors or Warden. Dr. Stonex, the Prison Physician, testified before the committee that he ordered the rations of fresh beef temporarily stopped, particularly on Sundays, when the men were not at work exercising, not because the beef was of an inferior quality, but that at certain times it had a tendency to create bowel diseases.

The testimony of the Warden in regard to the offal of the table was that it would keep thirty or forty hogs in growing condition, but for the last year he has not had that number, having lost nearly all by the cholera. He did not testify that he had fattened sixty head of three hundred pounds weight, making the handsome sum of \$1,080.

And your committee, after visiting other prisons and comparing all things, is constrained to say that the management of the Northern Indiana Prison, in all its details, is commendable, and that the officials are entitled to credit from the people of the State for their integrity and efficiency.

All of which is respectfully submitted.

EBENEZER COOLEY.

Mr. Carlton, entered a motion to reconsider the vote by which House Bill No. 482 was on yesterday laid on the table.

Mr. Cole moved that House Bill No. 80 be taken from the table. Which was not agreed to.

By consent, Mr. Merriman introduced House Bill No. 484. A bill to legalize the incorporation of the town of Waterloo, DeKalb county, Indiana, and the several additions thereto, and the official acts of the several boards of trustees of said corporation, under "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties," approved June 11, 1852, and by-laws, ordinances, rules, regulations and proceedings adopted in pursuance thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan presented the petition of the citizens of Clark county. Which was referred to the judiciary committee, without reading.

The consideration of reports from standing committees was resumed.

The Marsh, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 271, entitled "An act in relation to foreign express companies," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be amended as follows: By striking out that part of section 2 beginning on line 3, page 3, which reads thus: "And agreement shall be signed by the president, secretary and board of directors or managers of the association, joint stock association, or company for which he or they may act, and shall be verified by oath or affirmation before the same," and insert instead thereof the following: "Shall be signed by the president and secretary of such

association, joint stock association, or company, and by them verified by oath or affirmation, and such agreement shall be signed by the president and secretary of such association, joint stock association, or company, and by them acknowledged before some officer authorized to take acknowledgment before such statement and agreement," and when so amended we recommend that the bill do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Marsh, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

The undersigned, a majority of the judiciary committee, to whom was referred House Bill No. 363, in relation to appeals from the decisions of county boards, have had the same under consideration and respectfully report the same back to the House with the recommendation that the same be amended by adding to section 1 thereof the following: "*And provided further*, That the word 'decision,' as herein used, shall not be construed to mean an order causing the books, papers and records of county officers to be removed to new county buildings after such buildings have been completed and accepted by the commissioners." And when so amended we recommend the bill do pass.

Mr. Grubbs, from the committee on judiciary, submitted the following minority report :

MR. SPEAKER :

A minority of your committee on judiciary, to whom was referred House Bill No. 363, by Mr. Yaryan, unable to agree with the majority of said committee in their conclusions, beg leave to submit the following minority report: That section 2 of said bill be struck out. And when so amended that said bill do pass.

Mr. Kennedy of Rush moved the previous question, which was seconded by the House, and the main question ordered.

The question being on the adoption of the minority report, the ayes and noes were demanded by Messrs. Collins and Marsh.

Those who voted in the affirmative were Messrs. Adams, Albert, Bumgarner, Butler, Cary, Carson, Collins, Compton, Cooley, Craft, Davis, Elwell, Endsley, Fromm, Garver, Girton, Gossman, Grubbs, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Union, Koontz,

Lehman, Little, Lockhart, McCarty, McGaughey, Paige, Peelle, Scott, Smith, Spencer, Viehe, Yaryan and Zehring—36.

Those who voted in the negative were Messrs. Ames, Ashby, Askren, Austin, Benz, Branyan, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Conley, Crumpacker, Dannettell, Foster of Allen, Foster of Monroe, Freeman, Harris, Harper, Hatfield, Hauss, Highway, Hulet, Kennedy of Rush, Kimmell, Lane, Langdon, Lanham, Leeper, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, Perigo, Priest, Rea, Reno, Riley, Sailors, Stewart Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zimmerman and Mr. Speaker.—51.

So the minority report was not adopted.

The question recurring on concurring in the report of the majority, the ayes and noes were demanded by Messrs. Marsh and Compton.

Those who voted in the affirmative were Messrs. Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Conley, Cook, Crumpacker, Dannettell, Foster of Allen, Freeman, Harper, Hatfield, Hauss, Highway, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Lane, Langdon, Lanham, Leeper, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, Perigo, Rea, Reno, Riley, Sailors, Stewart, Thompson of Howard, Wells, Whitehead, Zimmerman and Mr. Speaker—50.

Those who voted in the negative were Messrs. Adams, Albert, Bumgarner, Butler, Cary, Carson, Collins, Compton, Cooley, Copeland, Craft, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Harris, Hosmer, Johnson of Carroll, Kennedy of Union, Koontz, Lehman, Little, Lockhart, McCarty, McGaughey, Paige, Peelle, Scott, Smith, Spencer, Swayzee, Viehe, Yaryan and Zehring—39.

So the majority report was concurred in, and the bill was ordered to be engrossed.

Mr. Davis entered a motion to reconsider the vote by which House Bill No. 440 was lost.

Mr. Carlton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER:

Your committee on enrolled bills respectfully report that they have examined Enrolled Act No. 5, House of Representatives, also

Joint Resolution No. 7, House of Representatives, and have compared the same with the engrossed act and joint resolution, and we find both correctly enrolled.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined Engrossed House Bills Nos. 23, 9, 13, 50 and 88, and find the same correctly engrossed.

Mr. Chawner, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

The committee on engrossed bills have compared Engrossed House Bills Nos. 90 and 415 with the original copies, and find the same correctly engrossed.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives, for the signature of the Speaker thereof, the following acts, to-wit :

Enrolled Senate Act No. 110. An act to legalize the official acts of the boards of trustees of the town of Loogootee, Martin county, Indiana.

Enrolled Act No. 35, Senate of Indiana. An act amending sections 4 and 7 of an act entitled "An act to enable owners of wet lands to drain and reclaim them, where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and regulating all laws inconsistent therewith," approved March 11, 1867.

And the same are herewith submitted.

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts, to-wit :

Enrolled Act No. 5, House of Representatives. An act to legalize the subscriptions of the city of Vincennes to the capital stock of the Vincennes Draw-bridge Company and the bonds issued to pay the

same, and the taxes levied and assessed for the payment thereof, and to authorize taxes to be levied, assessed and collected for the payment of such bonds as yet remain unpaid.

Enrolled Joint Resolution No. 7, House of Representatives. A joint resolution instructing our Senators and Representatives to procure the enactment of a law restoring the silver dollar of coinage of 1792 to be a legal tender for the payment of all debts.

And the same are herewith returned to the House.

Also, Enrolled Act No. 35, Senate of Indiana. An act amending sections 4 and 7 of an act entitled "An act to enable owners of wet lands to drain and reclaim them, where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and regulating all laws inconsistent therewith," approved March 11, 1867.

Enrolled Act No. 104, Senate of Indiana. An act to legalize the official acts of the Board of Trustees of the town of Shoals, Martin county, Indiana.

Enrolled Act No. 15, Senate of Indiana. An act to amend section 528 of an act entitled "An act to revise and simplify the rules, practice and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Enrolled Act No. 110, Senate of Indiana. An act to legalize the official acts of the Board of Trustees of the town of Loogootee, Martin county, Indiana.

Enrolled Act No. 25, Senate of Indiana. An act to legalize the official acts, orders ordinances, regulations and proceedings passed, adopted and executed by the Board of Trustees of the town of Marion, Grant county, Indiana, under and in pursuance of an an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852, and declaring an emergency.

Mr. Craft presented the claim of D. V. Burns, J. C. Denny and C. S. Denny, against the State.

Which was referred to the committee on claims without reading.

Mr. Craft presented the claim of C. Kindler against the State.

Which was referred to the committee on claims without reading.

Mr. Lane presented the memorial and claim of Mrs. Jaalah R. Hopkins against the State of Indiana.

Which was referred to the committee on claims without reading.

Mr. Cook presented the claim of McOuat, Foote & Co. against the State.

Which was referred to the committee on claims without reading.

Mr. Adams presented the claim of Daniel Keeley for music furnished to the State during the war.

Which was referred to the committee on claims without reading.

Also, the claim of Frank B. Ainsworth, late Superintendent Indiana House of Refuge, for certain unsettled bills for current expenses.

Which was also referred to the committee on claims without reading.

Mr. Foster of Monroe presented the claims of members of the House committee on education for traveling expenses.

Which was referred to the committee on claims without reading.

Mr. Craft presented the claims of J. C. Dunn for sundry articles furnished for the State House.

Which was referred to the committee on claims without reading.

The Speaker announced that he had signed Senate Acts Nos. 25, 15 and 104; also, Enrolled Senate Acts Nos. 35 and 110; also, Enrolled Act of the House of Representatives No. 5, and Enrolled House Joint Resolution No. 7.

Pending the call of committees for reports at the committee on judiciary, on motion by Mr. Scott, the House adjourned.

—(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING,

FEBRUARY 24, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. W. S. Lankford, pastor of Allen Chapel, Methodist Episcopal Church.

On motion by Mr. Carlton, the reading of the journal of yesterday's proceedings was dispensed with.

By consent, the order of business was suspended, and Senate bills on first reading taken up.

Mr. Carlton presented the claim of the city of Terre Haute against the State for street work.

Which was referred to the committee on claims, without reading.

Mr. Carlton presented the claim of B. F. Havens against the State for insurance on public buildings.

Which was referred to the committee on claims, without reading.

Mr. Garver presented the claim of J. C. Johnson against the State for premium awarded for State House plan.

Which was referred to committee on claims, without reading.

Engrossed Senate Bill No. 13. A bill to require surviving partners to file inventories and appraisements in the office of the clerk having probate jurisdiction, and to report liabilities of the firm; requiring surviving partners to file bond, providing for the appointment of receivers in certain cases, and repealing an act entitled "An act to require surviving partners to file inventories and appraisements in the office of the clerk of the court of common pleas, and to report the liabilities of the firm," approved March 5, 1859.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills [respectfully] report that we have, on the 23rd day of February, 1877, delivered to the Governor for his signature, Enrolled Act No. 5, House of Representatives, and Enrolled Joint Resolution No. 7, House of Representatives.

Engrossed Senate Bill No. 85. A bill to amend section 250 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Joint Resolution No. 13. A joint resolution instructing our Senators and requesting our Representatives to vote against any bill in Congress loaning the credit of the Government to a railroad company.

Was read and referred to the committee on federal relations.

Engrossed Senate Joint Resolution No. 14. A joint resolution for the repeal of the national bankrupt law.

Was read and referred to the committee on judiciary.

Engrossed Senate Bill No. 102. A bill to amend section 10 of an act entitled "An act to authorize and limit allowances by courts and boards, and drafts upon county treasurers," approved May 27, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 56. A bill entitled "An act to amend an act entitled 'an act to incorporate the Wabash Railroad Company,'" approved February 6, 1851.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 41. An act to amend section 15 of an act entitled "An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852.

Which was read the first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 80. A bill to amend sections 1 and 4 of an act entitled "An act supplementary and amendatory of an act entitled 'an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,'" approved March 13, 1875, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 24. A bill to amend section 1 of an act entitled "An act to amend sections 207 and 208 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,'" approved June 18, 1852, so as to authorize a change of venue in certain cases, approved March 5, 1859.

Which was read the first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 14. An act to amend section 2, and repealing section 39, of an act entitled "An act to establish a female prison and reformatory institution for girls and women, to provide for the organization thereof, and making appropriations," approved May 13, 1869.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 235. A bill providing for the concentration of land records in the office of the Auditor of State, and prescribing the duties of the Auditor of State in connection therewith, and the appointment of a clerk thereof, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 45. A bill to exempt benefits, claims and interests of the wives, children and dependants of members of Masonic, Odd Fellows, and other charitable societies, and exempting certain policies of life insurance from the claims of creditors, and designating the place where such corporations shall be sued, and providing for changing the names of payers of beneficiaries as may be agreed upon by the members of such societies or incorporations, and the societies or incorporations of which they are members.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 167. A bill to vest the inchoate rights of married women, in certain cases, when deserted by their husbands.

Which was read a first time and passed to a second reading on to-morrow.

Senate Joint Resolution No. 16. A joint resolution instructing our Representatives in Congress to endeavor to obtain from Congress an appropriation for the improvement of the navigation of White River.

Was read and referred to the committee on federal relations.

Engrossed Senate Bill No. 224. An act to create the Forty-second Judicial Circuit, to amend sections 3 and 4 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of courts in the Second, Third and Forty-second Circuits, and repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 46. A bill to amend section 315 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852, as amended by an act entitled "an act to amend section 315 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of practice without distinction between law and equity,'" approved March 9, 1861.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 76. A bill to amend sections 64 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 18. An act to amend sections 550 and 561 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleading and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 241. A bill to amend sections 1 and 13 of an act entitled "An act to establish Superior Courts, defining their jurisdiction, and providing for the election and compensation of judges thereof," approved February 15, 1871, and supplemental thereto.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 17. A bill to provide for township elections, and repealing all laws inconsistent therewith.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 131. A bill to preserve documentary evidence on the files of the courts of this State, and prohibiting the entry of judgments or written evidences of debt until the original shall be filed with the clerks, and endorsed as provided in this act, repealing all conflicting acts and declaring an emergency.

Which was read the first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 63. A bill to change the name of the Evansville and Crawfordsville Railroad Company.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 109. A bill to legalize the incorporation of the city of Bloomington, Monroe county, Indiana, and all official acts done by the Common Council and officers of said city.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 208. A bill to to amend sections 1 and 2 of an act entitled "An act to declare abandoned certain unfinished railroads, and to provide for their completion; to declare

forfeited the franchises of certain railroad companies, and for the assessment of the value thereof, for the organization of new companies, and for making annual statements," approved March 11, 1869, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 177. A bill providing for the election and appointment of supervisors of highways, and prescribing certain of their duties, and those of the county and township officers in relation thereto, and to repeal all laws inconsistent therewith.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 29. A bill to legalize defective organizations of corporations in certain cases.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 237. A bill providing for the punishment of persons in the possession of stolen property in this, having stolen the same in another State or Territory of the United States, or in any foreign country, and for the punishment of receivers of stolen property in certain cases.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 168. An act to legalize the actions of the Board of Trustees of the Concordia College at Fort Wayne, Allen county, Indiana.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Joint Resolution No. 11. A joint resolution instructing our Senators and requesting our Representatives in Congress to vote and use their influence to secure the passage of a law to equalize the pensions granted, and to be granted to soldiers engaged in the war of 1861, who were discharged by reason of disability from wounds received, or disease contracted in the service of the United States in said war, and in line of duty, and to the widows of such soldiers as have died from such disability.

Was read and referred to the committee on military affairs.

Engrossed Senate Bill No. 96. An act requiring widows of persons dying testate to make their election within one year.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 77. An act to amend section 1 of an act entitled "An act declaratory of the law regulating marriage, and enforcing the provisions thereof by proper penalties," approved March 5, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 113. An act to prevent conductors of freight trains on railroads in this State from obstructing the public highways, declaring such obstruction a misdemeanor, and prescribing the punishment therefor.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 20. An act to establish a Superior Court in the county of Cass, defining its jurisdiction and providing for the election and compensation of the judge thereof and other matters connected therewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 124. An act declaring it unlawful to get on or off railroad cars and engines when in motion or switching, providing penalties for violations of this act and other matters connected therewith.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 182. A bill to amend sections 95, 96 and 97 of an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the managements thereof and the heirs thereof and certain forms to be used in such settlements," approved June 17, 1852, and to legalize sales of real estate heretofore made by foreign administrators.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 189. A bill concerning the powers of cities over harbors, channels and other water thoroughfares, and over docks and dock property, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 195. A bill amending section 48 of an act entitled "An act fixing fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 200. A bill legalizing the issue by the Board of School Trustees of the city of Logansport, of certificates of indebtedness, providing for the redemption of the same, and other matters connected therewith.

Which was read a first time and passed to a second reading on to-morrow.

Senate Bill No. 98. A bill to provide for the more speedy trial of causes and facilitate the transaction of business of courts, to provide for judges to try causes, and fix their compensation in certain cases therein named, to authorize adjourned terms of courts and enlarge the jurisdiction in certain specified cases, repealing conflicting provisions in other acts, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 116. An act to amend section 68 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 201. An act to establish a Superior Court in the county of Allen, defining its jurisdiction, providing for the appointment, election and compensation of the judge thereof and other matters connected therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills have this day presented to the Governor for his signature Enrolled Senate Bills Nos. 35, 104, 15, 110 and 25.

Mr. Langdon, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred House Bill No. 209, entitled "An act to amend section 4 of an act entitled 'an act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Grubbs from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 431, introduced by Mr. Peelle, entitled "A bill to amend section 2 of an act defining certain misdemeanors and prescribing punishment therefor," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 269, introduced by Mr. Marsh, being a bill for an act to amend section 18 of an act entitled "An act regulating decedents and the apportionment of estates," approved May 14, 1852, have had the same under consideration, and instructed me to report it back with the following amendments, viz:

1st. Add, after the word "children," wherever it occurs in the bill, the words "or their decedents."

2d. Strike out the sentence "An act regulating descents and the

apportionment of estates, approved May 14, 1852," contained in section 1, and from lines three to six, inclusive, and insert in lieu thereof the words "the above entitled act."

3d. Strike out the words "an act entitled" in line three of section 1.

And that when the bill is so amended, recommend that it do pass.

The report was concurred in, and the bill ordered to be engrossed as amended.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee, to whom was referred House Bill No. 35, introduced by Mr. Smith, entitled "A bill to amend sections 10 and 64 of an act entitled 'an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases,' and declaring an emergency," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the said bill be amended as follows:

By striking out the words "section 10 of the above entitled act," and insert in lieu thereof the words "the said second section."

And that said bill be further amended by inserting the word "said" between the words "that" and "section" in section 2 of said bill.

And that the same be further amended by striking out the words "of the above entitled act," occurring in said section 2.

And that said section 2 be further amended by inserting the words "or Superior Court" after the words "Circuit Courts."

And your committee further recommend that when said bill is so amended, it do pass.

Which report was concurred in, and the bill, as amended, ordered to be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to which was referred House Bill No 381, introduced by Mr. Cook, being an act supplemental to the divorce law, have had the same under consideration and instructed me to report it back with the recommendation that it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 307, entitled "An act to exempt five hundred dollars worth of real and personal property from seizure and sale by execution," etc., have had the same under consideration, and have directed me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 466, introduced by Mr. Carlton, entitled "An act in relation to gymnastic associations," have had the same under consideration, and directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred the resolution of Mr. Johnson of Carroll, together with the communication of James B. Black, late Reporter of the Supreme Court, with instructions to enquire what legislation, if any, is necessary to procure the reduction in volume of the matter reported, the protection of purchasers, the punishment of evasions of the law as well as the protection of the Reporter himself, have fully considered and investigated the matter, and directed me to report as follows :

The committee are of the opinion that the compensation of the Reporter of the Supreme Court under existing laws is inadequate. The committee base this conclusion upon the following facts and figures :

The number of volumes of each report issued and sold average about 1,100. The number of volumes issued per annum will,

according to our best information, not exceed 2,200 volumes of reports per annum; at \$3.00 per volume, the present compensation would make the aggregate income of the Reporter \$6,600. The average cost per volume is \$2.00, making, together with the necessary compensation of a competent assistant, the expense per annum to the Reporter the sum of \$5,400, leaving the compensation of the Reporter \$1,200, to which must be added the value of the copyright, which remains the property of the Reporter; the compensation of the Reporter would be greater or less according to the number of volumes issued each year. It requires no argument to show that such compensation is wholly inadequate.

Your committee are, therefore, of opinion that the present law should be so amended as to fix the price per volume of the reports at \$3.50, both to the State and individuals. As there is a bill upon the calendar touching the compensation of the Reporter and the price per volume of the reports, your committee have not thought necessary to report any bill upon this subject.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred the petition of Thomas Wren, praying the enacting of a law to compel the city of Indianapolis to pay certain damages, alleged to grow out of a contract with said city and for which he has no legal remedy, have had the same under consideration, and directed me to report that they are of opinion that no legal or moral obligation rest upon the said city of Indianapolis to pay said damages. They therefore recommend that no action be taken by this House upon said petition, but that the same lie upon the table.

The report was concurred in, and the petition laid upon the table.

Mr. Carlton, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred House Bill No. 107, introduced by Mr. Moorman, entitled "An act to make the property of married women subject to examination for defendants of their own contracting given the benefit of exemption," have had the same under consideration, and have directed me to report

the same back to the House with the recommendation that the said bill be indefinitely postponed.

Which report was concurred in.

Mr. Carlton, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred Senate Bill No. 106, entitled "An act to provide for the periodical enumeration of the white male inhabitants of this state," etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

The report was concurred in, and the bill ordered to the third reading.

Mr. Carlton, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 182, introduced by the Mr. Yaryan, being a bill for an act to require railroads to appoint an agent in each county in this State through which the same may run, on whom service of process may be made," etc., have had the same under consideration, and instruct me to report it back with the recommendation that said bill be amended by striking out all after the enacting clause and inserting the following:

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That every railroad corporation owning any railroad, or the franchise thereof, created under any law of this State, and having office, director or fixed place of business in this State, the vendee, lessee, or other party owning, running, controlling or operating any such railroad into or through this State, appoint and keep an agent in each and every county in this State, into or through which such railroads may run, on whom process may be served in any action brought in the proper county against any of the parties herein named, the service on whom shall be held to be a legal service on the defendant, the same as if service had been made on the president and directors thereof.

Section 2. That each and every party mentioned in the first section of this act, shall file a written instrument in the clerk's office of each and every county in this State into or through which

such railroad may run, under the seal of such corporation, vendee, lessee, or other party owning, running, controlling or operating any railroad into or through this State, signed by the president and secretary, if any, authorizing the service of such powers, and consenting that the service thereof upon such agent shall be held to be valid in law, and waiving the benefit of error on appeal by reason of service having been made on such agent.

Section 3. The clerk of the circuit court, on receipt of the instrument in this act mentioned, shall record the same in the order-book of said court and index the same, for which he shall be entitled to a fee of one dollar.

Section 4. Should any party contemplated by the requirements of this act, fail or refuse to file such written instrument for sixty days from the time this act shall be in force, it shall be the duty of the prosecuting attorney of every county into or through which such railroad may run to file an information in the name of the State, on his own relation, against the defaulting parties herein named, concisely and substantially setting forth each failure. On such information having been filed, the clerk shall make two certified copies of such information, under the seal of the court, to which he shall attach a notice in the nature of a summons, stating the time and place the information shall be called for, having the copies of such information shall be placed in the hands of the proper sheriff, who shall mail one of said copies, postage paid, and directed to the president and directors, in care of the secretary or such defaulting party, to the post office at the place where such party may have his, her or their principal office. On the copy retained the sheriff shall make his return of service.

Section 5. Every such information shall stand for issue and trial at the first term after the same shall have been made, by making a copy of such information and summons fifteen days before the first day of the term of the court from which such process was issued.

Section 6. On the hearing of the information, if the court be satisfied from the evidence that the requirements of this act have been complied with, the court shall order and fix a reasonable time within which such defaulting party shall file such written instrument in the clerk's office of the county, with a judgment for the cost of suit, and a docket fee of ten dollars for the use of the prosecuting attorney; and that on failure to comply with the order of the court and payment of cost and prosecuting attorney's fee within

the time fixed by the courts, the clerk shall issue a restraining order, under the seal of the court, to the sheriff of the county, commanding him to take, seize, and hold the road within his bailiwick until the order of the court shall have been complied with; and the sheriff, by virtue of the said writ, shall take, seize, and hold said road, and prevent the use thereof for railroad purposes until the order of the court shall have been complied with.

And that when so amended it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Garver, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to which was referred House Bill No. 386, by Mr. Compton, entitled "An act concerning the duties of county sheriffs in reference to the serving of warrants in State cases," have had said bill under consideration, and owing to the fact that the same ground was covered by another bill, have directed me to report it back to the House with the recommendation that it be indefinitely postponed.

The report was concurred in and the bill indefinitely postponed.

Messrs. Carson and Houghton were granted leave of absence till Monday.

Mr. Garver, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 389, by Mr. Paige, entitled "An act prescribing the jurisdiction of justices of the peace, and mayors of cities, over misdemeanors, and repealing all laws inconsistent herewith," have had said bill under consideration and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

The report was concurred in and the bill indefinitely postponed.

Mr. Garver, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred House Bill No. 366, introduced by Mr. Carr, entitled "An act to amend

section 250 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Garver, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred Senate Bill No. 71 entitled "An act to give the consent of the State of Indiana to the requirement by the United States by purchase or condemnation of lands within this State required for the improvement of the Ohio and Wabash rivers, and to cede jurisdiction over the same," have had the same under consideration, and have directed me to report the bill back to the House with the recommendation that it be amended by striking out the words "this act" in section 4, and insert in lieu thereof the following words: "Whereas an emergency exists for the immediate taking effect of this act, therefore, the same," and that when said bill is so amended, it do pass.

Which report was concurred in and the bill passed to a third reading.

Mr. Marsh, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred House Bill No. 374, introduced by Mr. Warrum, entitled "An act declaring assessments upon lands for plank, macadamized and gravel road purposes in certain cases to be valid and binding, and providing for the collection and application of the same," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Marsh, from the committee on judiciary, submitted the following report

MR. SPEAKER:

Your committee on judiciary to whom was referred House Bill No. 416, introduced by Mr. Viehe, entitled "A bill about agents of

foreign insurance companies," have had the same under consideration and have directed me to report the same back to the House with the recommendation that said bill be amended by striking out from the third line of the first section the words "heretofore made or." And your committee further recommend that when said bill is so amended it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Marsh, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 384, introduced by Mr. Compton, being "An act repealing an act relating to expenses incurred by one county by change of venue from another county," have had the same under consideration and have recommended that I report it back with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Marsh, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to which was referred House Bill No. 283, introduced by Mr. Johnson, being an act to amend section 550 of an act to revise, simplify and abridge the rules of practice, etc., approved June 18, 1852, have had the same under consideration, and instructed me to report it back with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Marsh, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 433, introduced by Mr. Craft, entitled "An act concerning tax sales in certain cases," have had said bill under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred Senate Bill No. 11, introduced by Mr. Johnson, entitled "An act to abolish the Criminal Circuit Court of the counties of Floyd and Clarke," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 278, introduced by Mr. Foster of Allen, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed. The bill is entitled "A bill to amend an act entitled 'an act to authorize the board of county commissioners to appoint justices of the peace.'"

The report was concurred in, and the bill indefinitely postponed.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 342, introduced by Mr. Ashby, entitled "An act to amend section 43 of an act entitled 'an act defining felonies,' " have had the same under consideration, and have directed me to report it back to the House with the recommendation that the same be amended by striking out all after the enacting clause, and inserting the following : That section 43 of the above entitled act be amended to read as follows :

"Every person duly convicted of perjury or of subornation of perjury, shall be imprisoned in the State's prison not less than two nor more than twenty-one years, be fined not exceeding one thousand dollars, and be disfranchised and rendered incapable of holding any office of trust or profit for any determinate period."

And they further recommend that when so amended it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Lane presented the petition of inhabitants of Putnam county on the subject of temperance.

Which was referred to the committee on temperance without reading.

Mr. Baxter, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 360, introduced by Mr. Yaryan, entitled a bill to amend section 199 of an act entitled "An act to revise, simplify and abridge the rules practice, pleadings and forms in civil cases," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended:

By striking out all between the words "nine of" and the word "section" and insert in lieu thereof, the words "said act."

And that the same shall be further amended by striking out the word "and," in line 5 on page 2, and insert in lieu thereof the word "when."

And that the same be further amended by inserting after the word "rights," in line 15 on page two, the words "sixth, and in such other cases as may be provided by law; or, when, in the discretion of the court, it may be necessary to secure ample justice to the parties."

And your committee further recommend that when said bill is so amended, it do pass.

The report was concurred in, and the bill as amended ordered to be engrossed.

By consent Mr. Craft introduced the following communication and concurrent resolution:

INDIANAPOLIS, February 20, 1877.

At a meeting of the Common Council of the city of Indianapolis, held on the 19th day of February, 1877, the following resolution was adopted.

Attest:

BENJAMIN WRIGHT,
City Clerk.

WHEREAS, The tracts of land known as the "Circle Park" and

"University Park," situated in the city of Indianapolis, and are owned by the State of Indiana ;

AND WHEREAS, The city of Indianapolis has been for many years expending money in the care and improving of said tracts of land ; therefore,

Resolved, That the City Council of the city of Indianapolis hereby request the General Assembly of the State of Indiana, now in session, to pass such a joint resolution as will empower the city of Indianapolis by her Common Council to open and use said Circle and University squares as public parks by the inhabitants of the city.

General Assembly of Indiana, House of Representatives :

Resolved by the House of Representatives, the Senate concurring therein, That the city of Indianapolis is hereby authorized under direction of its Common Council to enter upon and use the two plats of ground known as the University Square and Governor's Circle as public parks, until otherwise ordered by the General Assembly of the State.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 401, introduced by Mr. Copeland, being a bill for an act to amend an act entitled "An act providing for the settlement of decedents' estates," etc., have had the same under consideration, and instructed me to report it back with the recommendation that it be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 436, by Mr. Zehring, entitled "An act to exempt the wages of laborers from garnishment and proceedings supplemental to executions in certain cases," have had the same under consideration and have directed me to report it back to the House with the recommendation that it do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 399, by Mr. Thompson of Elkhart, entitled "A bill supplemental to an act providing for the redemption of real property," etc., have had said bill under consideration and have directed me to report it back to the House with the recommendation that it be amended by inserting after the words "tax sale" in line 11 the words "when necessary to save his rights," and that when so amended it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 375, introduced by Mr. Warrum, entitled "An act defining certain misdemeanors, and prescribing punishment therefor," have had the same under consideration, and I am directed to report the same back with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 47, introduced by Mr. Kennedy of Rush, entitled "An act to provide for the construction of partition fences along the line of railroads," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be amended by striking out all after the enacting clause, and inserting the following :

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That whenever the owner or occupant of land abutting on land used for right of way for railroad purposes, who has constructed a lawful partition fence any distance along the line dividing said lands, the railroad company operating the railroad, or its lessee, or

any other person operating said road, shall contract and therefore keep in repair a like partition fence of equal length, joining the fence made by the owner or occupant along said line within thirty days after said company, or its lessee, or any other person operating said road, or any agent, conductor, engineer, clerk, president, vice-president or director of said company, its lessee or other person, in the county where the land of said owner is situate, shall have been notified in writing by the owner or occupant of the construction of such fence, or, after construction, that the same is out of repair.

Section 2. Whenever any such railroad company, its lessee or other person operating said railroad, has neglected or failed to construct or repair said fence, as provided in the first section of this act, said owner or occupant may construct or repair the same, and make out and present a verified statement of an account of the cost of such construction or repair, as the case may be, to any agent, conductor, engineer, clerk, president, vice-president, or directors of such railroad company, its lessee or other person operating or managing said railroads; and if said company, lessee or other person, fail to pay the same with six per cent. damages thereon, then said owner or occupant may file his complaint before any justice of the peace in the county where said fence is made or repaired, and such justice shall fix a day to hear the complaint, and shall cause at least ten days notice to be served on the railroad company, its lessee or other person operating the railroad, or any agent, conductor, engineer, clerk, president, vice-president, or directors of said company, lessee or other person, by service of summons by copy, but in all cases where the cost of the construction or repairs exceed fifty dollars, the owner or occupant may file the complaint in the Circuit Court or Superior Court of said county.

Section 3. When the complaint is filed in the Circuit or Superior Court, the clerk thereof shall issue a summons therein as in other actions, which summons shall be served by copy by the sheriff on the railroad company, its lessee or any other person operating or managing the railroad, or any agent, conductor, engineer, clerk, president, vice-president, or director of said company, lessee or other person, at least ten days before the first day of the term at which action is to be heard.

Section 4. All action contemplated by this act may be brought, at the option of the plaintiff, against the railroad company as defendant, in case the same is, or was being run by the company, its lessee or any other person in the name of the company.

Section 5. On hearing such action, the court or jury shall give judgment or verdict for the amount of the cost of the construction or repair of the fence, as the case may be, with twenty-five per cent. damages, which shall be collected without relief from valuation or appraisement laws, and if the action is heard in the circuit court the court shall, on motion of the plaintiff, on the rendition of judgment, or after at any time when notice of such motion has been served on the railroad company, its lessee or any other person operating or managing the railroad, or any agent, conductor, engineer, clerk, president, vice-president or director of said railroad company, lessee or other persons, at least ten days before the first day of the term of court at which such motion is to be heard, order a writ to issue, directed to the sheriff of the proper county, for any agent, conductor, engineer, clerk, president, vice-president or director of said company, lessee or other person named in such notice, to appear forthwith, or at such time as the court may direct, and answer upon oath as to the amount of money in their hands, or property, if any, belonging to such company, lessee or other person; also as to the probable amount of money received by such agent, conductor, engineer, clerk, president, vice-president or director, as aforesaid, belonging to such company, lessee or other person, and if such agent, conductor, engineer, clerk, president, vice-president or director shall answer that he has, or they have, any such money, or are in the constant receipt of money as such agent, conductor, engineer, clerk, president, vice-president or director, as aforesaid, the court shall order such agent, conductor, engineer, clerk, president, vice-president or director, as aforesaid, to pay into the clerk's office of such court, at such time as may be named by the court, such portions of the money so held or received, as aforesaid, not exceeding one-half the amount thereof, as may be deemed just by the court, until such judgment and cost is fully paid and satisfied.

Section 6. Any person obtaining a judgment before a justice of the peace for the construction or repair of a fence under the provisions of this act, may upon filing a certified transcript of such judgment in the office of the clerk of the circuit or superior court, in the county in which said fence was constructed or repaired, and upon the clerk of such court entering the same upon the order book thereof, may, upon notice and motion made in such court, as specified in the fifth section of this act, be entitled to the order and proceeding as therein specified.

And your committee further recommend that said bill, when so amended do pass.

Which report was concurred in.

Mr. Hulet offered the following amendment to the bill :

MR. SPEAKER :

I move to strike out the words "twenty-five," where it refers to the per cent. to be added to the claim, and insert in lieu thereof "ten."

Which was agreed to.

Mr. Viehe, from the committee on judiciary submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 30, introduced by Mr. Carson, entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, and repealing all laws in conflict," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be amended as follows :

First. Strike out all of section 1 after the enacting clause and insert the following : "That the number of justices of the peace in each township shall be regulated by the board of county commissioners by proper order of record, but the number shall not exceed one for each township and one additional one for each city and incorporated town, and in case of a city having a population exceeding five thousand, an additional one for each ten thousand of inhabitants over and above the five thousand."

It is further recommended by your committee that section 2 of said bill be adopted without amendments.

And your committee further recommend that sections 3, 4 and 6 of said bill be stricken out.

And your committee further recommend that when said bill is so amended, it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill

No. 383, introduced by Mr. Compton, entitled "An act amending section 10 of an act entitled 'an act to authorize the formation of new counties,'" have had the same under consideration, and I am directed to report the same back with the recommendation that it be indefinitely postponed.

Which report was not concurred in, and the bill was recommitted to the committee on judiciary.

Mr. Hatfield withdrew his motion to reconsider the vote by which House Bill No. 440 was lost.

Mr. Kennedy of Rush entered a motion to reconsider the vote by which House Bill No. 440 was lost.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 330, introduced by Mr. Hall, entitled "A bill concerning documentary evidence," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 449, introduced by Mr. Hatfield, being "An act in regard to sales on executions, and in certain cases subrogating the purchase at such sales to the rights of the judgment and execution plaintiff," have had the same under consideration and directed me to report it back with the following amendments, to-wit :

- 1st. Strike out the words "and execution," in line 10 section 1.
- 2d. Strike out the words "both in law and equity," in lines 11 and 12 section 1.
- 3d. Strike out the words "or judge thereof, in vacation," in line 16 section 1.
- 4th. Strike out the word "judge" in line 25 section 1.
- 5th. Add to section 1 the following, to-wit : "*Provided*, That no purchaser of other property of the execution-defendant subsequent to the sale, without actual knowledge of the invalidity of the sheriff's sale, shall be effected by the proceedings herein provided for." And strike out section 2 of the said bill.

And your committee would respectfully recommend that when the bill is so amended it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Cooley was granted leave of absence until Tuesday morning.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 414, introduced by Mr. Lanham, entitled "A bill to provide for the recovery of property removed by high water," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 364, introduced by Mr. Carr, entitled "An act to amend section 15 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Pending consideration of the report on House Bill No. 364, on motion by Mr. Chawner, the House adjourned.

AFTERNOON SESSION,

SATURDAY, February 24, 1877.

The House met, with the Speaker in the chair.

The House resumed consideration of the report from the committee on judiciary on House Bill No. 364.

Mr. Carr moved to lay the report on the table.

Which was not agreed to.

Mr. Copeland moved to amend the bill as follows :

I move to amend the bill so as the prisoner or prisoners may

select his own counsel, provided the counsel will agree to prosecute or defend the cause for a sum not to exceed fifteen dollars per day for the time so necessarily and actually employed; the amount of time employed to be determined by the court.

Mr. Carlton offered the following amendment to the amendment :

I move to amend the amendment by inserting after the words "fifteen dollars per day" "exemption, case of felony."

Mr. Morgan moved to lay the amendment to the amendment upon the table.

Which was not agreed to.

The amendment to the amendment was then adopted.

The amendment as amended was not agreed to, and the bill was ordered to be engrossed.

Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 376, introduced by Mr. Lanham, being a bill for an act to prescribe certain powers and duties of county commissioners, township trustees, city councils and trustees of towns, in relation to elections, etc., have had the same under consideration and instructed me to report it back together with the following amendments, to-wit :

Strike out all after the word "designate" in section 1 and insert in lieu thereof the following, to-wit : "by definite boundaries election precincts in the county, each township shall constitute at least one precinct, and when public convenience requires it a township may be divided into two or more precincts, and there shall be but one voting place in a precinct."

2d. Strike out the word "township" in line 2 of page 8, and insert in lieu thereof the words "precincts in which they reside."

3d. Strike out the words "and more than one place of holding elections" on page 8.

4th. Prefix to section 8 the words "In city and town elections," so that the section will read "In city and town elections each ward, etc.; and strike out in lines 1 and 2 of section 8, the words "in a city or town."

5th. Strike out the words "no persons" in section 9, and insert in lieu thereof the words "any person who;" and strike out the words "violating any of the provisions of this section" in said

section 9, and insert in lieu thereof the words "who shall vote or offer to vote without being entitled to vote under the provisions of this act."

6th. Insert between the words "shall" and "violate" in section 10, the words "knowingly and corruptly."

And your committee recommend that when the bill is so amended, it do pass.

Which report was concurred, and the bill, as amended, ordered to be engrossed.

Mr. Langdon, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred House Bill No. 469, in regard to service of process on foreign corporations, have had said bill under consideration, and have directed me to report it back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in.

By consent, Mr. Swayzee introduced House Bill No. 486. A bill providing for the distribution of any and all unemployed funds that may now be, or may hereafter come into the State Treasury, and which are not otherwise provided for by law.

Which was read a first time and passed to a second reading on to-morrow.

By consent, Mr. Langdon introduced House Joint Resolution No. 24. A joint resolution concerning the offices and officers and employes of the State, and pay of the same.

Which was read and referred to the committee on ways and means.

By consent, Mr. Viehe introduced House Bill No. 485. A bill for an act authorizing the acquisition of Green River Island, or to locate the true boundary line at said island.

Which was read the first time and passed to a second reading on to-morrow.

The order of business was resumed.

Mr. Compton, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred

House Bill No. 442, introduced by Mr. Foster of Monroe, entitled "An act to fix the time of holding court in the Tenth Judicial District," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Fromm was granted leave of absence until Tuesday morning.

Mr. Compton, for the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts, to whom was referred House Bill No. 453, introduced by Mr. Kennedy, entitled "An act to create the Forty-third Judicial District," have had the same under consideration, a majority of whom have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Peelle, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts to whom was referred House Bill No. 191, introduced by Mr. Austin, entitled "A bill for an act to amend sections 4, 6 and 7 of an act entitled 'an act for the election of a reporter to the Supreme Court, etc.," approved March 13, 1875, with instructions from the House of Representatives of the Fiftieth Assembly of the State of Indiana, have had the same under consideration, and instructed me to report it back with the following amendment: Strike out the words "the number of the volume thereof, and the total number of pages of printed matter contained in the whole number of such reports then received, and on the presentation of such certificate to the Auditor of State, he shall draw a warrant on the Treasurer of State in favor of such Reporter for a sum of money amounting to three-fourths of a cent for every such printed page contained in such report," in section 2 after the word "received" in line 14 of the said bill, and insert in lieu thereof the following, to-wit: "And the volume thereof, and on presentation of such certificate to the Auditor of State, he shall draw a warrant on the Treasurer of State in favor of such Reporter

for a sum equal to three dollars and fifty cents for each copy of such report." And the committee further recommend that when the bill is so amended, as recommended by the House of Representatives aforesaid, it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Garver, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred House Bill 157, "An act regulating the continuances of criminal causes on the account of the absence of evidence," have had the same under consideration and beg leave to recommend that the bill be amended by striking out all after the enacting clause and inserting the following :

That the motion to postpone the trial of a criminal cause on the account of the absence of evidence can only be made in behalf of the defendant upon affidavit showing the materiality of the evidence expected to be obtained, and that due diligence has been used to obtain it, and where the evidence may be, and if it is, for an absent witness, the affidavit must show where the witness resides and the probability of procuring his testimony within a reasonable time and that his absence has not been procured by the act or connivance of the defendant, nor by others at his request, nor with his knowledge and consent, and what facts he believes the witness will prove, and that he is unable to prove such facts by other witnesses whose testimony can readily be procured. If thereupon the Prosecuting Attorney will consent that on the trial the facts shall be taken as true, if the absent evidence is written or documentary, and in case of a witness he will testify to said facts as true, the trial shall not be postponed for that cause ; and in such case the Prosecuting Attorney shall have the same right to impeach such absent witness as in the case where the witness is present or his deposition is used. And when so amended the bill do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Garver, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred

House Bill No. 450, entitled "A bill to amend sections 51 and 52 of an act entitled 'an act providing for the election and qualification of justices of the peace,'" have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Garver, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on the organization of courts, to whom was referred House Bill No. 252, entitled "An act fixing fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

Which report was concurred in.

Mr. Garver, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts to whom was referred House Bill No. 239, entitled "An act fixing the fees of constables, repealing section 26 of an act entitled 'an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws,'" approved March 12, 1875, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

Which report was concurred in.

Mr. Yaryan, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

The committee on organization of courts to whom was referred House Bill No. 3, which seeks to limit the trial by jury, to the number of six jurors, except in the cases therein named, have had the same under consideration, and instructed me to report that it is inexpedient to pass the same because there are other bills pending

on the same subject, which they prefer, and therefore recommend that it lie on the table.

On Mr. Freeman's motion the report of the committee was laid upon the table.

Mr. Branyan, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred House Bill No. 418, introduced by Mr. Guthrie, entitled "A bill to amend sections 308 and 313 of an act entitled 'an act to revise, simplify and abridge the rules of practice,'" have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do lie upon the table.

Mr. Peelle, from the committee on organization of courts, submitted the following minority report :

MR. SPEAKER :

The undersigned members of your committee on organization of courts, to whom was referred House Bill No. 418, differing with the majority, beg leave to submit this minority report, recommending the passage of said bill.

The question recurring on the engrossment of House Bill No. 3, it was ordered to be engrossed.

The question recurring upon the adoption of the minority report on House Bill No. 418, it was adopted, and the bill ordered to be engrossed.

Mr. Carlton moved that when the House adjourn it shall be until 2 o'clock Monday.

Mr. Freeman moved to amend by making the hour 10 o'clock.

Mr. Langdon moved to lay the amendment on the table.

Which was agreed to.

The question recurring on Mr. Carlton's motion,

The ayes and noes were demanded by Messrs. Freeman and Riley.

Those who voted in the affirmative were Messrs. Ames, Askren, Baxter, Bumgarner, Cary, Carlton, Chawner, Coffman, Compton, Conley, Cook, Copeland, Dannettell, Garver, Gossman, Hatfield, Highway, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Langdon, Little, Lockhart, Madden, Marsh,

Mathews, Morgan, McCarty, McGaughey, Oglebay, Paige, Rea, Smith, Thomas, Zehring and Mr. Speaker—37.

Those who voted in the negative were Messrs. Albert, Ashby, Benz, Branyan, Butler, Carr, Carson, Claypool, Craft, Foster of Allen, Foster of Monroe, Freeman, Hall, Harper, Hauss, Kennedy of Rush, Kimmell, Lanham, Leeper, Merriman, Moorman, Peelle, Perigo, Reno, Riley, Sailors, Stewart, Swayzee, Thompson, of Elkhart, Thompson of Howard, Viehe, Wells, Yaryan and Zimmerman—38.

So the motion did not prevail.

Mr. Peelle, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred House Bill No. 240, introduced by Mr. Zehring, entitled "An act describing the number of jurors required to find a verdict in civil cases," have had the same under consideration and instructed me to report it back with the recommendation that it lie on the table.

Leave of absence was granted Mr. Henderson until Monday and to Mr. Lane indefinitely.

Mr. Langdon moved that the House adjourn until 1:30 P. M. Monday.

The ayes and noes were demanded by Messrs. Freeman and Lanham.

Those who voted in the affirmative were Messrs. Ames, Askren, Baxter, Bumgarner, Cary, Carlton, Chawner, Coffman, Compton, Conley, Cook, Copeland, Craft, Dannettell, Garver, Gossman, Hatfield, Hauss, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Langdon, Little, Madden, Mathews, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Rea, Reno, Smith, Thomas, Thompson of Elkhart and Viehe.—40.

Those who voted in the negative were Messrs. Albert, Ashby, Benz, Branyan, Claypool, Foster of Allen, Foster of Monroe, Freeman, Hall, Harper, Highway, Kimmell, Lanham, Leeper, Marsh, Merriman, Moorman, Morrison, Perigo, Riley, Sailors, Stewart, Swayzee, Thompson of Howard, Wells, Yaryan, Zehring and Zimmerman—28.

So the motion prevailed and the House adjourned, pending the further consideration of the report from the committee on organization of courts on House Bill No. 240.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY AFTERNOON.

FEBRUARY 26, 1877.

The House met at half-past one o'clock, pursuant to adjournment with the Speaker in the chair.

On motion by Mr. Viehe, the reading of the journal of Saturday's proceedings was dispensed with.

Mr. Henderson moved that when the House adjourns it be to meet at 7:30 this evening.

Which was agreed to.

SENATE BILLS ON SECOND READING

Were taken up.

Engrossed Senate Bill No. 200 was read a second time, and referred to the committee on cities and towns.

Engrossed Senate Bill No. 113 was read a second time and referred to the committee on railroads.

Engrossed Senate Bill No. 85 was read a second time and referred to the committee on organization of courts.

Engrossed Senate Bill No. 45 was read a second time and referred to the committee on insurance.

Engrossed Senate Bill No. 77 was read a second time and referred to the committee on judiciary.

Edgrossed Senate Bill No. 168 was read a second time and referred to the committee on cities and towns.

Engrossed Senate Bill No. 24 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 124 was read a second time and referred to the committee on railroads.

Engrossed Senate Bill No. 41 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 80 was read a second time and referred to the committee on ways and means.

Engrossed Senate Bill No. 14 was read a second time and referred to the committee on Reformatory Institutions.

Engrossed Senate Bill No. 182 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 189 was read a second time and referred to the committee on corporations.

Engrossed Senate Bill No. 13 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 195 was read a second time and referred to the committee on fees and salaries.

Engrossed Senate Bill No. 20 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 237 was read a second time and referred to the committee on cities and towns.

Engrossed Senate Bill No. 18 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 241 was read a second time and referred to the committee on organization of courts.

Engrossed Senate Bill No. 116 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 208 was read a second time and referred to the committee on railroads.

Engrossed Senate Bill No. 235 was read a second time and referred to the committee on ways and means.

Engrossed Senate Bill No. 167 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 177, was read a second time and referred to the committee on roads.

Engrossed Senate Bill No. 96, was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 76, was read a second time and referred to the committee on organization of courts.

Engrossed Senate Bill No. 46, was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 98, was read a second time and referred to the committee on organization of courts.

Engrossed Senate Bill No. 102, was read a second time and referred to the committee on county and township business.

Engrossed Senate Bill No. 131 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 17 was read a second time and referred to the committee on elections.

Engrossed Senate Bill No. 29 was read a second time and referred to the committee on corporations.

Engrossed Senate Bill No. 109 was read a second time and referred to the committee on cities and towns.

Engrossed Senate Bill No. 63 was read a second time and referred to the committee on railroads.

Engrossed Senate Bill No. 56 was read a second time and referred to the committee on railroads.

Engrossed Senate Bill No. 224 was read a second time and referred to the committee on organization of courts.

Engrossed Senate Bill No. 201 was read a second time and referred to the committee on organization of courts.

HOUSE BILLS ON SECOND READING,

House Bill No. 486, introduced by Mr. Swayzee, was read a second time and referred to the committee on trust funds.

House Bill No. 484, introduced by Mr. Madden, was read a second time and referred to the committee on cities and towns.

House Bill No. 485, introduced by Mr. Viehe, was read a second time and referred to the committee on judiciary.

The following message was received from the Senate by the Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed Senate Bill No. 296. An act to authorize township trustees to issue and sell bonds in certain cases for the purpose of providing funds to build school houses in incorporated towns, and providing under what conditions said trustees may issue and sell such bonds, and declaring an emergency.

Engrossed Senate Bill No. 320. An act revoking conditions of the bond of the Township Trustee of Ross township, Clinton county, Indiana, and declaring an emergency.

And the same are herewith submitted to the House of Representatives for its action thereon.

Also, that the Senate has concurred in the House amendments to Engrossed Senate Bill No. 33. An act to amend section 22 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 12, 1852.

Also, that the Senate has passed, with certain amendments, Engrossed House Bill No. 250. A bill to amend section 1 of an act entitled "An act repealing an act entitled an act to amend section 314 of an act entitled 'an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate with prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free,'" approved March 6, 1865, approved March 9, 1867, and all the act entitled "An act authorizing the assessment of lands for plank, macadamized or gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject," approved 11, 1867, approved March 14, 1869, and declaring an emergency, approved March 13, 1875.

And the same is herewith returned to the House of Representatives for its concurrence in said amendments.

Mr. Cole, from the committee on organization of courts, submitted the following report:

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 448, introduced by Mr. Freeman, being an act to amend an act entitled "An act to divide the State into judicial circuits," etc., have had the same under consideration, and recommend that said bill be indefinitely postponed.

Which report was concurred in.

Mr. Cole, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 475, introduced by Mr. Yaryan, entitled "A bill to amend section 307, and to repeal sections 308, 309, 310, 313 and 314 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases,' " have had the same under consideration, and have directed me to report the same back to the House with the recommendation that said bill be amended by striking out the words "three hundred and ten" in line 3 of section 2.

And that said bill when so amended do pass.

Which report was not concurred in, and the bill was laid upon the table.

Mr. Branyan, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts to whom was referred House Bill No. 387, introduced by Mr. Compton, entitled "An act authorizing judges of the Supreme Court to employ clerks," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in.

Mr. Branyan, from the committee on organization of courts submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred Senate Bill No. 141, introduced by Mr. Reeve, entitled "An act to fix the time of holding court in the Forty-first Judicial Circuit of Indiana," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do pass.

The report of the committee was concurred in, and the bill passed to a third reading.

Mr. Branyan, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred

House Bill No. 395, introduced by Mr. Lockhart, entitled "An act fixing the time of holding court in the Twenty-fifth Judicial Circuit," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Branyan, from the committee on organization of courts, submitted the following minority report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred House Bill No. 453, introduced by Mr. Kennedy, entitled "An act to establish the Forty-third Judicial District, differing with the majority, beg leave to submit this minority report, recommending that said bill do pass.

Which report was laid upon the table without reading.

Mr. Chawner, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to whom was referred House Bill No. 400, entitled "An act to authorize the legal voters of each county to elect by ballot a county superintendent of common schools," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be indefinitely postponed.

Which report was concurred in.

The following message was received from His Excellency, Governor Williams, by his Private Secretary, Mr. Downey.

The Honorable, the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House of Representatives that he has approved and signed House Enrolled Bill numbered and entitled as follows :

No. 5. An act to legalize the subscriptions of the city of Vincennes to the capital stock of the Vincennes Draw-bridge Company, and the bonds issued to pay the same, and the taxes levied and assessed for the payment thereof, and to authorize taxes to be levied, assessed and collected for the payment of such bonds as yet remain unpaid," approved February 24, 1877.

And that he has caused the act to be deposited in the office of the Secretary of State.

Also, that he has received House Joint Resolution No. 7, and caused it to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, February 24, 1877.

Mr. Chawner, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to whom was referred House Bill No. 238, by Mr. McGaughey, providing for the election of school directors, prescribing their powers, duties and qualifications, repealing all laws in conflict therewith, and declaring an emergency, recommend that the same do pass after being amended as follows :

In line 15, section 1, after the word elections, insert "and unmarried women having charge of children."

In section 5, line 5, after "local interest" insert "and in conjunction with the township trustee" to employ teachers.

Mr. Viehe moved the previous question, which was seconded by the House and the main question ordered.

Thereupon the report was concurred in and the bill ordered to be engrossed.

Mr. Johnson of Carroll, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to whom was referred House Bill No. 391, entitled "A bill for an act in relation to the appointment and compensation of county examiners," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be indefinitely postponed.

The report was concurred in and the bill indefinitely postponed.

Mr. Johnson of Carroll, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to which was referred House Bill No. 474, entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof

and their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed,'” approved March 6, 1865, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Mathews, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to whom was referred House Bill No. 179, introduced by Mr. Mathews, entitled “An act to amend section 15 of an act entitled ‘an act to provide for a general system of common schools, the officers thereof and their respective duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,’” have had said bill under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Mathews, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education to whom was referred House Bill No. 452, entitled “An act to amend section 33 of ‘an act to provide for a general system of common schools,’” etc., have had the same under consideration, and have directed me to report it back to the House with the recommendation that the same be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Bumgarner, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to whom was referred House Bill No. 390, entitled “An act to amend section 147 of an act to provide

for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Mathews, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to whom was referred House Bill No. 162, entitled "An act to amend section 10 of an act entitled 'an act to provide for a general system of common schools, etc.,'" have had the same under consideration, and have directed me to report it back to the House, with the recommendation that the same be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Foster of Monroe, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to whom was referred House Bill No. 201, by Mr. Benz, the same being a bill for an act defining the powers and duties of school meetings, have had said bill under consideration, and have directed me to report the same back to the House, with the recommendation that the bill be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Scott, from the committee on prison affairs, submitted the following report :

MR. SPEAKER :

Your committee on prison affairs, to which was referred House Bills Nos. 413 and 478, would respectfully report, that after duly considering the same they are unanimously of the opinion that it would be inexpedient to pass any bill at this time authorizing the building of a new Prison South ; we therefore recommend that House Bills Nos. 413 and 478 be indefinitely postponed.

Which report was concurred in.

Mr. Scott, from the committee on prisons, submitted the following report :

MR. SPEAKER :

Your committee on prisons submit the following report of its investigation into the management and condition of the prison at Jeffersonville :

On Tuesday, the 30th day of January, your committee went to Jeffersonville. We first made a general survey of the grounds, cell houses, work shops, and other departments of the prison. We found the grounds in a very dirty condition, brush, filth and debris having accumulated in piles, or the same being promiscuously scattered over the grounds. The buildings, and especially the cell house, were not in condition to promote the health of the convicts, and, unless a better system of keeping the grounds and building is adopted, there certainly will be, ere long, a large increase of the sick list among the convicts.

Mr. Howard, the Warden, insists, and with a degree of plausibility, that the bad condition of the grounds is owing to the fact that the prison grounds have no proper or adequate system of sewerage.

We found that the Warden and Directors had charged up large bills to the State on account of repairs to the prison during the past two years, and while your committee had, and has, no means of ascertaining what the condition and appearance of the prison was prior to said repair, we are not, therefore, prepared to say that, judging from the present appearance and condition of the buildings, that the outlay on account of said repairs was judiciously made. We are, therefore, of the opinion that the law, as it stands on the statute books to-day, granting to Directors and Warden unlimited authority in building and making repairs, is one that is liable to great abuses, and expensive to the State.

The new brick work-shop is a good and substantial building. Your committee are satisfied that the State Prison South has for a number of years past been run on an unnecessarily extravagant and expensive style.

The prisoners have no lights in their cells, and yet the State has been paying annually a large sum to the Jeffersonville Gas Company for gas used at and about the prison. The amount paid said company during the six months ending March 1, 1876, being \$1,237.36. This includes the gas used in the houses of the Warden

and Deputy Warden. When compared with the expense incurred at the Northern Prison for lights, lamps and fixtures, which, during the year 1876, cost only the sum of three hundred and eighty-nine dollars and ninety cents (\$389.90). We think the State suffers by the comparison, and she is certainly paying a large sum of money for the luxury of the use of gas by the prison officials. We understand that this is an evil which has existed at the prison for a number of years. Your committee think that the prison could be sufficiently lighted with coal-oil lamps for one-fourth the cost of the present system.

Mr. James Keigwin, one of the directors of the prison, is the president of the Jeffersonville Gas Company, and therefore interested in the matter of furnishing supplies to the prison, which your committee believe to be in violation of the law on that subject.

We find that the Warden has employed a gardener at six hundred (600.00) dollars per annum, to superintend the State garden connected with the prison, consisting of five acres of ground.

We find also that the guard account for the year ending December 15, 1876, is \$21,462.20, while that at the prison at Michigan City is only \$19,670.86, a difference of \$1,791.34 in favor of the Northern Prison, while the grounds of the Northern Prison are larger and also the number of convicts largely in excess of those at the Southern Prison. The above are some of the causes of the heavy indebtedness of the Southern Prison.

A large portion of the debt of the prison was no doubt caused by the suspension of the Southwestern Car Company.

Your committee is of the opinion that the present contract of 300 convicts to the Cincinnati Shelf Hardware Company is a good one and favorable to the State, while the prospect for contracting all the remaining available convict labor to the same company, at no distant day, is very encouraging.

The contract with J. R. Gathright is also considered a good and safe one.

Your committee are of the opinion that it would not be for the best interests of the State to move the prison to any other point.

Mr. H. T. Sage, Clerk of the prison, is a nephew by marriage to Mr. Keigwin, one of the directors.

Your committee is satisfied that Dr. W. F. Sherrod, the physician, is dissipated to such a degree that he is not a suitable person to fill the position of Prison Physician. At one time his conduct was so disorderly and bad that Warden Howard suspended him

and forbade his going into the prison, but Messrs. Keigwin and Hammond promptly reinstated him.

Your committee is of the opinion that the salary of the Deputy Warden and of the Chaplain of the prisons is not sufficient to properly remunerate such men as should fill these places. We therefore recommend that their salaries be increased to one thousand dollars per annum.

It was proven to your committee that Mr. Hammond, one of the Directors, refused to recognize Mr. Hill as one of the Directors. While the Board, as at present composed, consists of W. P. Hammond, B. F. Hill and James Keigwin, your committee are of the opinion that Mr. Keigwin really constitutes the Board of Directors. That he runs and controls the institution, and that he has ordered building and repairs on prison grounds without the matter having been discussed by the Board, and consequently without their knowledge and consent.

Mr. H. T. Sage, the Clerk of the prison, is a gentleman well qualified for the discharge of the duties of his position. The committee take pleasure in saying that the books of his office are kept in an admirable manner.

Your committee have investigated all the claims that were presented to them against the State Prison South, and beg to report that, in their opinion, the following claims were established and appear to be correct only on such evidence as was before your committee. These amounts are mostly covered by vouchers given by Mr. Shuler, as Warden, or by Mr. Gilpin, Prison Clerk, or on accounts due claimants, as shown on the Prison books and sworn to by the claimants.

The law provides that the Moral Instructor shall teach reading and writing to convicts who can not read or write, when sent to him by the Warden. Mr. Howard has entirely neglected this part of his duty, there having been no school of this kind in the institution during the last year, while his report shows that there is one hundred convicts in the prison who can not read nor write.

Most of those vouchers call for interest at ten (10) per cent. per annum after thirty days. Your committee are not prepared to say that Mr. Shuler had any authority to pledge the State to pay ten per cent., or any other rate of interest.

It affords your committee great pleasure to be able to report that the convicts in the prison at Jeffersonville are, as a rule, more

kindly and humanely treated, and a great deal better fed than are the convicts at Michigan City.

There is not a great deal of complaint among the prisoners of bad treatment by the Warden, while the prisoners almost unanimously spoke in terms of the highest praise of the Deputy Warden, Captain John Craig.

The Directors, Warden, Chaplain, and all the officers united in recommending that the "good time law" be passed, as specified in the bill which has been prepared by the advice of your committee.

The attention of your committee was called to the case of one of the convicts, by name Richard Chamberlain, a mere lad, only fifteen years old in October last. This boy is serving out a sentence of two years, having been convicted and sentenced in Brown county October 31, 1876, on a charge of petit larceny. On account of the tender age of the boy, and the further fact that he seems to be well disposed, the Warden and Directors recommend that he be removed from the prison and sent to the House of Refuge, which recommendation your committee hope will be immediately adopted.

Your committee spent considerable time in the examination of and hearing testimony relative to the various claims held by parties against the State, on account of supplies, etc., furnished the prison.

We found the indebtedness of the prison to be on the 15th day of December, 1876, one hundred and eighteen thousand five hundred and twenty-five dollars and forty-one cents (\$118,525.41). Of this amount, fifty-four thousand one hundred and twenty-one dollars and ninety-six cents (\$54,121.96), is shown by the books of the prison to have accrued under the Shuler administration, while the further sum of one hundred and five dollars and seventy-seven cents (\$105.77), on account of said administration, not appearing upon the books of the prison, have been presented as an account against the State and recognized as a valid claim, making, in all, the sum of fifty-four thousand two hundred and twenty-seven dollars and seventy-three cents (\$54,227.73), as the amount of the liabilities of the Southern Prison on account of the preceding administration.

Of the assets of the institution, as against the liabilities of the Shuler or preceding administration, the books show the sum of twenty-one thousand six hundred and forty seven dollars and ten cents (\$21,647.10), and of this amount the sum of twenty thousand seven hundred and ninety-nine dollars and sixty-three cents (\$20,799.63), is a claim against the Southwestern Car Company, and may therefore be considered of doubtful value. An item of

six hundred and sixty-four dollars (\$664) for "real estate" is carried on the books as part of the assets of the institution; of the remaining items in the list of assets, one against J. Steele for one hundred and sixty-nine dollars and ninety-seven cents (\$169.97), and one against J. E. Wethers & Co., for the sum of thirteen dollars and fifty cents (\$13.50), it may be proper to say that both parties claim that the State is indebted to them in an amount greater than that claimed against them, as shown by the books of the prison.

We conclude, therefore, that the State need not take into consideration the item of assets under the preceding administration, but, regard the item of liabilities as the all-important one with which she has to deal.

The liabilities of the present or Howard administration for the period of eighteen months (from June 15, 1875, to December 15, 1876), as shown by the books of the prison, amount to the sum of sixty-four thousand two hundred and ninety-seven dollars and sixty-eight cents (\$64,297.68), while the assets of the institution amount to only eleven thousand two hundred and ninety-six dollars and two cents (\$11,296.02), of which amount the sum of seven thousand nine hundred and forty-four dollars and sixty-nine cents (\$7,944.69) is a claim against the Southwestern Car Company, and as in the case of the previous administration, so in this, the item is considered of doubtful value. The item of eighteen hundred and seventy-four dollars and ninety four cents (\$1,874.94) against the Shuler administration, can hardly be termed assets, as it is an amount paid by Warden Howard on account of the liabilities of the preceding administration, and while the Warden is entitled to his proper credit, the State has only changed the form of so much of its indebtedness on account of the prison; the only assets, therefore, consist of the amount of cash on hand, viz: one hundred and seventy-three dollars and eighty-five cents (\$173.85), a claim against John N. Ingraham for one dollar and four cents (\$1.04), and the amount due from J. R. Gathright on labor contract, one hundred and thirty-one dollars and fifty cents (\$131.50), and the amount due from the Perin Gaff Manufacturing Company, eleven hundred and seventy dollars (\$1,170.00); in other words, the small sum of fourteen hundred and seventy-six dollars and thirty-nine cents (\$1,476.39) as the really available assets of the Prison South on the 15th day of December, 1876, at which time its liabilities amounted to the large sum of one hundred and eighteen thousand, five hundred and twenty-five dollars and forty-one cents (\$118,525.41.)

It is due to the officers of the institution to say that a large portion of the liabilities incurred under the present administration is the result of the failure of the Southwestern Car Company.

In conclusion your committee desire to say that, taking into consideration the embarrassed condition of the financial operations of the Prison South, the officers have, in the main, succeeded very well in purchasing supplies. While the report of the Warden shows that during the year 1866, the convicts were kept at an expense to the State of thirty-five cents per man, and the report of the Northern Prison, for the same period, shows that it cost the State a fraction over thirty-two cents per man. We think the comparison is favorable to the Southern Prison, when it is remembered that in purchasing supplies for the Southern Prison, the State has been, and is, compelled to pay an amount at least equal to the difference in cash, and long time, in excess of what they are compelled to pay in purchasing supplies for the Northern Prison.

The thanks of the committee are due to the officers of the prison for their uniform kindness and courtesy, as shown in the disposition on their part to assist the committee in all its investigations.

A. M. SCOTT, Chairman.

H. H. ELWELL,

B. G. HARRIS,

A. A. MORRISON.

Claims passed upon as correct and due the parties, by the Committee on Prisons, after a thorough examination of the same :

April 15, 1875.	R. R. Glover & Co	\$456 70
April 27, 1875.	R. P. Main, to be paid on return of Car Company's notes, (<i>if paid at all</i>).....	2,688 30
April 15, 1875.	Louis Vernia.....	1,172 48
April 15, 1875.	George W. Wicks	236 40
December 26, 1874.	David Lyons.....	188 75
February 27, 1875.	Guthrie, Martin & Co	11,340 56
April 30, 1875.	Holmes & Thias.....	1,058 57
June 15, 1875.	B. Rosenthal & Co.....	2,752 18
June 15, 1875.	B. Rosenthal & Co.....	16 05
May 8, 1875.	B. Rosenthal & Co.....	200 00
April 7, 1875.	B. Rosenthal & Co	45 00
June 5, 1875.	W. W. Scott.....	124 97
November 28, 1873.	Thos. J. Swartz	924 37
May 31, 1875.	Thos. J. Swartz	166 87

June 15, 1875. Jeffersonville Gas Co.....	\$3,223 76
November 2, 1874. Citizens' National Bank	244 96
June 15, 1875. J. Howard & Co.....	16 25
May 31, 1875. F. A. Graham	66 00
November 9, 1874. G. Layer & Co.....	3,327 88
May 31, 1875. Cal Prather..	35 00
October 6, 1874. R. Zaum.....	10 40
April 30, 1875. Smyser, Milton & Co.....	4,281 47
April 30, 1875. J. W. Kain.....	24 35
June 15, 1875. A. Sauer.....	424 28
James Burk	150 00
April 30, 1875. G. W. Lewman & Bro.....	397 71
June 15, 1875. G. W. Lewman & Bro.....	117 23
May 1, 1877. Star Glass Co.....	166 30
June 15, 1875. Livingston Patterson.....	3,145 33
June 15, 1875. Livingston Patterson.....	61 48
May 8, 1875. A. O. Shuler.....	50 00
May 8, 1875. A. O. Shuler.....	23 77
June 15, 1875. A. O. Shuler.....	22 18
May 31, 1875. David S. Barmire.....	901 27
February 27, 1875. Browning & Sloan.....	659 66
November 9, 1874. Fred. Undetlick.....	406 80
January 1, 1875. Mayer & Rosenthal.....	193 95
May 18, 1875. Mayer & Rosenthal.....	180 50
June 10, 1875. Mayer & Rosenthal.....	22 75
May 22, 1875. John Yarbough.....	1,094 35
June 4, 1875. C. R. Goodwin.....	111 33
June 7, 1875. E. S. Diltz.....	324 06
July 10, 1874. Low & Whitney.....	316 50
May 31, 1875. Griffith Ogden.....	240 40
May 21, 1874. Griffith Ogden.....	170 00
June 12, 1875. Jacob Kreiger, Jr., assigned by J. Steele.....	452 55
April 14, 1875. J. W. Hopkins.....	47 30
April 30, 1875. Dugan & Stiltz.....	412 20
April 6, 1875. McCord, Boomer & Co.....	230 70
May 31, 1875. C. Lentz.....	587 45
February 8, 1875. Charles Wilber.....	145 50
November 8, 1874. George W. Martin.....	53 00
December 19, 1874. John Redding.....	38 00
September 24, 1874. George W. Bowers.....	191 75

October 6, 1874. George W. Bowers	\$241 00
May 31, 1875. F. A. Bodenshtine.....	125 25
March 13, 1875. Mayer & Co.....	60 36
May 27, 1875. Wm. Horr & Co.....	50 00
April 3, 1875. Bowling Green Manufacturing Co.....	333 40
October 10, 1875. Henley, Aydelott & Co.....	2,000 00
June 12, 1875. John W. Bucher	525 00
May 31, 1875. Wm. S. Sibert, administrator of C. H. Long.....	711 00
May 8, 1875. Col. Merriweather.....	400 00
April 30, 1875. Hawkus & Thornton.....	1,052 96
June 1, 1875. Jackson Coal Mining Company.....	119 89
November 17, 1874. J. E. Crane.....	19 00
July 12, 1875. Magens & Co.....	60 36
April 30, 1875. Ohio Falls Iron Works.....	107 47
June 23, 1875. W. E. Liston.....	751 50
June 15, 1875. W. E. Liston.....	116 33
November 3, 1874. L. F. Lawrence.....	37 30
April 15, 1875, Charles R. Smith.....	364 70
May 8, 1875. S. H. Patterson.....	63 92
May 8, 1875. S. H. Patterson.....	52 50
March 3, 1875. G. B. F. Cooper.....	121 72
May 31, 1875. H. Dellinger.....	402 67
March 10, 1875. James Campbell.....	177 80
May 31, 1875. George H. Devol.....	18 26
May 31, 1875. W. Horr & Co.....	128 92
June 14, 1875. Mannen Queen.....	144 08
	<hr/>
	\$8,797 18

Mr. Oglebay, from the committee on prisons, submitted the following minority report :

MR. SPEAKER:

As a minority, agreeing with the majority in the *facts* presented in their report on the State Prison South, we beg leave to dissent from their report in the following particulars:

In reference to the mention made of the accumulation of dirt and rubbish upon the prison grounds, we not only attribute it to want of sewerage, but to the fact that it was caused by the tearing down of old work shops and sheds formerly used by the Car Company, and the erection of the new shops, of which mention was made, and we

further state that at the time we were there the unemployed convicts were engaged in cleaning up the grounds and whitewashing the buildings, which, notwithstanding their age, present a substantial appearance. The cell house presented a cleanly, and as far as the management is concerned, a creditable appearance. The hall of the cell house is used for sleeping purposes for the use of the prisoners, in consequence of a lack of cell room, for which we do not think the officers should be censured.

In relation to the expenditures incurred for repairs, (while we doubt the propriety of giving the officers such unlimited powers,) after a careful and thorough examination of the subject, from all the facts presented, we believe the expenditures were well and judiciously made.

Mention is made of the fact that the gas burned in the Warden and Deputy Warden's houses is paid for by the State. This is and has been the custom for years, and we can see no reason why officers should now be censured for practices followed by former officers, and allowed and passed on as right by former legislatures.

When the fact that a large number of the convicts have been worked outside the regular walls of the prison, inside of a board fence, also outside the walls in a foundry, which, to say the least of both, are very insecure, and offer many opportunities for prisoners to escape, is taken into consideration, the difference in the guard accounts of the two prisons is easily explained, and we are only surprised that it was not more.

Reference is made to the fact that Mr. Hill was not recognized as a member of the board. The facts will not warrant this statement, for upon an examination of the record of the proceedings of the board, we found Mr. Hill had not only met with the board, but had voted upon all measures before them when present, and had exercised all the rights, powers and duties of a director, Mr. Hammond simply protesting against it. The charge that Mr. Keigwin is the Board of Directors and Warden combined is altogether unwarranted and uncalled for, and the evidence, we think, did not bear them out in such a statement. The fact that he had caused to be erected buildings without the knowledge or consent of the board was not proven, but, we think, on the contrary, were not only made with the approval of the majority of the board, but by and with the advice and consent of the Warden.

The charges against Dr. Sherro'l we think without foundation. The facts that out of five hundred and fifty (550) men "in this

sickly den," as they report, under his charge during the year, he only lost six (6) from death, four of them from consumption, certainly shows he is qualified for the position which he holds. No evidence was offered to show that he was ever under the influence of liquor while on duty, and we can see no reason nor conceive any cause for such charges.

In conclusion, it gives us pleasure to state that we believe the management and discipline of the Prison, without being too rigid and severe, is up to the standard required by the age in which we live, and that the business interests of the State in connection with the institution, are carefully watched and guarded, and it is a matter of just pride that the officers, under the embarrassing circumstances surrounding them, have been able to make so favorable a showing.

The claims against the State under Shuler administration, amounting in the aggregate to sum of \$52,561.69, according to the evidence before us, we deem just and owing by the State, and we refer the matter of an appropriation to pay the same to the House, without any recommendation on the subject.

W. R. OGLEBAY,
J. W. DAVIS,
EBENEZER COOLEY.

On motion by Mr. Peele the reports were laid upon the table and 200 copies ordered printed for the use of the House.

Mr. Elwell, from the committee on prisons, submitted the following report:

MR. SPEAKER:

Your committee on prisons, to whom was referred House Bill No. 470, have had the same under consideration, and would respectfully recommend that it do pass, with the following supplemental amendment:

Section 2. The time of service of imprisonment of any convict shall commence from the day of his conviction and sentence, which service may be lessened for good conduct on his first imprisonment, as follows: One day on the first month, two days on the second month, three days on the third month, four days on the fourth month, five days on the fifth month, six days on the sixth month, and six days each subsequent month of good conduct, up to the end of the fourth year of his imprisonment. After four years' service in the prison, the convict, for good conduct, shall be allowed four

months commutation of time on each succeeding year. On his second conviction and imprisonment, the above commutation of time for good conduct shall be lessened one-third; on his third conviction and imprisonment it shall be lessened two-thirds; on his fourth, or any subsequent conviction, there shall be no commutation of time allowed him. All such commutation of time to be allowed by the directors, by and with the advice of the Warden. In case, however, that any convict shall be guilty of misconduct by a violation of the rules of the prison, the Warden may, in his discretion, forfeit the whole or any part of the commutation of his time which he may have previously gained by good conduct, but such forfeiture may at any time be set aside by the board of directors for subsequent good behavior or other good conduct and satisfactory reasons.

Which amendment was agreed to, the report concurred in, and the bill ordered to be engrossed.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred the petition of Messrs. Claypool and Harrison, have had said petition under consideration and have directed me to report the same back to the House with the recommendation that they be allowed one thousand dollars each, for the service rendered as per bill, in full, and the committee on ways and means be instructed to include the amount of such allowance in the specific appropriation bill.

Which report was concurred in.

Mr. Wells, from the committee on military affairs, submitted the following report :

MR. SPEAKER :

Your committee on military affairs, to whom was referred Senate Joint Resolution No. 11, instructing our Senators and requesting our Representatives in Congress to vote and use their influence to secure the passage of a law to equalize the pensions granted, and to be granted, to soldiers engaged in the war of 1861, who were discharged by reason of wounds received, or diseases contracted in the service of the United States in said war, and in the line of duty, and to the widows of such soldiers as have died of disability, have had the

same under consideration and directed me to report the same back to the House and recommend its passage.

Which report was concurred in.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Craft, Crumpacker, Elwell, Endsley, Foster of Allen, Foster of Monroe, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hauss, Highway, Henderson, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kim-mell, Koontz, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Zimmerman and Mr. Speaker—74.

Mr. Ames voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the resolution?

It was so ordered.

Mr. Chawner submitted a petition to accompany Senate Bill No. 208.

Which was referred to the committee on railroads, without reading.

Leave of absence was granted Messrs. Harper and Rea until tomorrow.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred the claim of Dillon Haworth as the State, for material furnished, and labor performed at the House of Refuge, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be disallowed.

Which report was concurred in.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred House Bill No. 457, introduced by Mr. Girton, entitled "An act for the relief of Myer Myers, George F. McGaughey and Robert H. Hodgens, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do pass.

Which report was concurred in.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred petition and accounts of the Board of Commissioners of Clark county, have had said papers under consideration, and have directed me to report them back to the House with the recommendation that their claim be disallowed.

Which report was concurred in.

Mr. Swayzee, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred the claim of William I. Ripley, on account of House of Refuge, have had said claim under consideration, and have directed me to report it back to the House with the recommendation that it be disallowed.

Which report was concurred in.

Mr. Guthrie, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims to whom was referred petition of E. T. Cox, J. H. Smart and J. M. Ridenour, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be disallowed.

Which report was concurred in.

Mr. Craft moved that House Bill No. 457 be considered engrossed.

Which was read a third time and put upon its passage.

Which was agreed to.

Whereupon, House Bill No. 457, entitled "An act for the relief of Myer Myers, George F. McGaughey and Robert H. Hodgens."

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Craft, Crumpacker, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moormon, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Wells, Yaryan and Mr. Speaker—70.

Mr. Stewart voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Morgan, from the committee on rights and privileges, submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges to whom was referred Senate Bill No. 107, entitled "An act providing for the protection of wild game, and defining the time in which the same may be taken or killed, also providing for the protection of certain birds therein named and their eggs, and prescribing the penalty for the violation of the same, and repealing all laws inconsistent herewith," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be amended:

1. By striking out all after the words "permission of the owner thereof" in section 3 of said bill, and inserting in lieu thereof the following: "That any person or persons, who shall be guilty of hunting, with a dog or dogs, or hunting or shooting with any kind of fire-arms, on enclosed land, without having first obtained the consent of the owner or occupant thereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum

not less than five nor more than fifty dollars: *Provided*, That no prosecution shall be instituted under the provisions of this act, except upon the consent of the owner or occupant of the land entered."

2. And your committee recommend that said bill be further amended by inserting after the close of section 4 the following, viz:

Section 5. That it shall be unlawful for any person to net, trap, kill or injure, or to pursue with intent so to do, any woodcock between the first days of January and July of each year, or to net or trap at any time, or kill any duck between the fifteenth day of April and the first day of September in each year; and any person violating the provisions of this act shall, upon conviction thereof, be fined in the sum of two dollars for each wild duck or woodcock so unlawfully trapped, netted or shot.

And your committee recommend that section 5 of the engrossed act be numbered section 6, and amended as follows: By inserting after the word "pheasant," in line 7 of said section, the words "woodcock, wild duck."

And your committee recommend that section 6 of said engrossed act be numbered section 7.

And your committee recommend that when said bill is so amended it do pass.

Mr. Viehe moved to recommit the bill to the committee on rights and privileges, with the following instructions:

I move to recommit this bill to the same committee with instructions to amend as follows:

1. That it shall be unlawful at all times to hunt deer with dogs.
2. To strike out the provision that no prosecution shall be had without the consent of the owner of the land.

Mr. Morgan moved to lay the motion to recommit on the table. Which was not agreed to.

The motion to recommit was not agreed to.

The report of the committee was then concurred in.

Mr. Leeper made the following motion:

I move that Engrossed Senate Bill No. 107 be amended as follows:

Strike out the word "two" in the tenth line of section 2, and insert the word "five."

Which, on Mr. Compton's motion, was laid upon the table.

Mr. Leeper moved to amend the bill as follows:

Strike out the words "first day of October," in the fourth line of section 3, and insert in lieu thereof, the words "fifteenth day of August."

Which, on motion by Mr. Morgan, was laid upon the table.

Mr. Viehe made the following motion :

I move to amend Senate Bill No. 107 as follows: On page 1, line 7, after the word "year," insert "and it shall be unlawful at all times to hunt with dogs any deer or doe on the lands of any other person."

On motion by Mr. Craft the motion was laid on the table.

The House amendments were then ordered engrossed, and the bill passed to a third reading.

Mr. Hauss, from the committee on fees and salaries, introduced House Bill No. 487. A bill to amend section 16 of an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws, approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hauss, for the committee on fees and salaries, introduced House Bill No. 488. A bill for an act to amend sections 5, 6 and 10 of an act entitled "An act fixing the fees, salaries and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 13, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hauss, for the committee on fees and salaries, introduced House Bill No. 489. A bill for an act to amend sections 13 and 14 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875, and repealing all acts or parts of acts coming in conflict with the provisions of this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hauss, for the committee on fees and salaries, introduced House Bill No. 490. A bill for an act to amend sections 11 and 12 of an act entitled "An act fixing the fees, salaries, duties and

compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875, and repealing all laws in conflict herewith. .

Which was read the first time and passed to a second reading on to-morrow.

Mr. Hauss, for the committee on fees and salaries, introduced House Bill No. 491. A bill for an act repealing section 9 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thomas, from the committee on fees and salaries, submitted the following report:

MR. SPEAKER:

Your committee on fees and salaries, to whom was referred House Bill No. 479, on the subject of constables' fees, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Thompson of Elkhart, from the committee on fees and salaries, submitted the following report:

MR. SPEAKER:

Your committee on fees and salaries, to whom was referred House Bill No. —, introduced by Mr. Carr, being "An act to repeal sections 9, 11 and 12 of an act supplemental to an act entitled 'an act to provide for the election, and describing the duties of the Attorney General,' " etc., approved March 10, 1873, have had the same under consideration, and instructed me to report it back with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Thompson of Elkhart, from the committee on fees and salaries, submitted the following report:

MR. SPEAKER:

Your committee on fees and salaries to whom was referred House Bill No. 324, introduced by Mr. Hulet, entitled "An act to amend section 9 of an act entitled 'an act fixing the fees, salaries, duties

and compensation of officers and persons named therein," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

Which report was concurred in.

Mr. Morrison, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 394, entitled "An act to prevent procuring or attempt to procure abortions, prescribing penalties therefor," have had the same under consideration, and have directed me to report the same back to the House with the recommendation to strike out all after the enacting clause and insert Mr. Grubbs' bill as substitute.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 46, entitled "An act relating to the persons owning or having in charge any domestic animal and allowing the same to run at large, contrary to the provisions of an act entitled 'an act approved May 31, 1852,'" have had the same under consideration and have directed me to report the same back to the House with the recommendation that the same be amended by striking out after the enacting clause and insert in lieu thereof the following :

That any person being the owner or having in charge any domestic animal, and allowing the same to run at large contrary to the provisions of an act entitled "An act," approved May 31, 1852, in relation to domestic animals running at large, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding five dollars for every such offense ; it shall be the duty of the prosecuting attorney to bring action to enforce the provisions of this act, and he shall be entitled to the same fees for like services in similar cases ; suit may be brought before any justice of the peace or other proper tribunals having proper jurisdiction in the county where such animal may be found.

And your committee further recommend that when said bill is so amended it do pass.

Which report was concurred in, and the bill, as amended, ordered to be engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House bill No. 424, introduced by Mr. Smith, have had the same under consideration, report as follows :

We recommend that section 3 be amended as follows: After the word "State" in line 4 add "or managers of any hospital of this State," and in line 8 strike out the word "or," and add after the word "trustee" in same line the words "or hospital managers."

That section 4 be amended by adding to, and at the close of the same, the following: "*Provided*, That no private hospital, or hospitals, not maintained at public expense, shall be compelled to deliver up any dead human body under the provisions of this act ; but any such hospital may, at the option of its managers, deliver up any such body as provided for in this act."

And that section 5 be amended by adding after the word "State," in line 6, the words "or managers of any hospital of this State ;" and in lines 23 and 48 of said section, strike out the word "or" and insert after the word "trustee" the words "hospital managers."

And when so amended we recommend that the bill do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Pending the call of committees for reports, on motion by Mr. Foster of Allen, the House adjourned until 7:30 P. M.

NIGHT SESSION,

MONDAY, February 26, 1877—7:30 P. M.

The House met, with the Speaker in the chair.

By consent, Mr. Paige offered the following resolution :

Resolved, That no further bills except appropriation bills, be

introduced in this House unless by unanimous consent of the House, or by the appropriate committee.

Which was read and laid over under the rule.

The order of business was suspended, and the call of the roll of counties for the introduction of bills, resolutions, etc., taken up.

Mr. Hulet introduced House Bill No. 492. A bill entitled "An act for the election of road supervisors, and defining some of their duties and the compensation therefor, and repealing all laws in conflict with this act."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Austin introduced House Bill No. 493. A bill to amend section 2 of an act entitled "An act defining who shall be competent witnesses in any court or judicial proceeding in this State, and to repeal all laws in conflict with the provisions of this act," approved March 11, 1867, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Allen introduced House bill No. 494. A bill for an act to provide for taxing and adjudging costs in certain cases in criminal actions.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Yaryan introduced House Bill No. 495. An act to prescribe the funds from which and the times and mode for the payment of the salaries of the judges and prosecuting attorneys of the State.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 496. A bill to cure defects in an act entitled "An act authorizing the sale and conveyance of certain lands belonging to the State of Indiana," approved March 11, 1875, and for the relief of Catharine Christian, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 497. A bill to provide for the repair, removal or repaving of streets in cities, which have been permanently improved.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craft introduced House Bill No. 498. A bill concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show, legerdemain, ventriloquism, concert, theatrical performance, or any other exhibition of whatever name or description, by any traveling or stationary troupe, to keep a ferry, brokers office, or do business as a broker, providing for the collection thereof, and to whom such fees shall be paid.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster, of Allen, introduced House Bill No. 499. An act to enable the Superintendent of Public Instruction and the Auditor of Spencer county to re-open the account between Spencer county and the State, for the purpose of correcting errors in the principal of the school funds held in trust by Spencer county.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster, of Allen, introduced House Bill No. 500. A bill to provide for the incorporation of voluntary associations, to prescribe the powers and duties, and to repeal all former laws on this subject and to legalize certain conveyances heretofore made by or to voluntary associations.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Allen offered the following resolution :

WHEREAS, It is the true intent and meaning of the Constitution that all counties in the State should have equal representation agreeable to population ;

AND WHEREAS, Looking over the apportionment bill of 1873, we find that the counties of Montgomery, Parke and Vermillion, with 13,854 votes, have two Senators and four Representatives, while the counties of Adams, Allen and Wells, with 18,113 votes, have but two Senators and three Representatives, with 4,419 more votes than the former, and one Representative less ;

AND WHEREAS, In olden times the Republican party was known as the "God and morality party" instead of the "Returning board party," as it now is, we would respectfully request that

it return to its early practices, and in representation give us a fair count; therefore

Resolved, That in order to do justice to the voters in the latter counties there ought to be some amendment to the present apportionment law.

Mr. Carson moved to lay the resolution on the table.

Upon which motion the ayes and noes were demanded by Messrs. Johnson of Dearborn and Foster of Allen.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Carr, Carson, Chawner, Claypool, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Moorman, Morgan, McGaughey, Peelle, Perigo, Priest, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—44.

Those who voted in the negative were Messrs. Ashby, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Davis, Foster of Allen, Girton, Gossman, Hauss, Henderson, Hosmer, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Marsh, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Spencer and Stewart—41.

So the motion to lay the resolution on the table prevailed.

Mr. Yaryan moved to reconsider the vote by which the motion to lay the resolution by Mr. Foster of Allen on the table prevailed.

Mr. Peelle moved to lay the motion on the table.

The ayes and noes were demanded by Messrs. Foster of Allen and Collins.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Carr, Carson, Chawner, Claypool, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Henderson, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Morgau, Morrison, McGaughey, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—47.

Those who voted in the negative were Messrs. Ashby, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook,

Davis, Foster of Allen, Girton, Gossman, Hauss, Hosmer, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Spencer and Stewart—31.

So the motion to lie on the table prevailed.

Mr. Chawner introduced House Bill 501. A bill to create the Forty-second Judicial Circuit, to amend section 21 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas, and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of courts in the Forty-second Circuit, and repealing all laws inconsistent therewith.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Little introduced House Bill No. 502. A bill to legalize certain acts of the board of trustees of the town of Williamsport, county of Warren, in levying a tax upon the taxables of said town for the year 1874.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Chawner, by request of Mr. Peelle, introduced House Bill No. 503. A bill supplemental to an act entitled "An act providing for a general system of common schools in all cities of thirty thousand or more inhabitants, and for the election of a board of school commissioners for such cities, and defining their duties and prescribing their powers and providing for common school libraries within such cities," approved March 3, 1871, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Johnson of Carroll, by request of Mr. Kennedy of Rush, offered the following concurrent resolution:

Be it resolved by the House of Representatives, the Senate concurring: That section 29 of article 4 of the Constitution be amended to read as follows, to-wit:

The members of the General Assembly shall receive for their services a compensation to be fixed by law, but no increase of compensation shall take effect during the session at which such increase

may be made, and in case any regular session shall continue beyond one hundred days, or special session beyond sixty-one days, the compensation shall not exceed four dollars per day for such over-plus.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as Amendment No. —.

Mr. Paige presented the petition of sundry citizens of Clinton county, Indiana, asking relief of certain sureties on the bond of a township trustee.

Which was referred, with Senate Bill No. 320, without reading.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

The committee on engrossed bills report that they have examined Engrossed House Bills Nos. 431, 342 and 47, and find the same correctly engrossed.

Mr. Benz presented the claim of Cyrus T. Nixon against the State for coal.

Also, the claim of Franklin Life Insurance Company against the State for room rent.

Which were referred to the committee on claims without reading.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills, to whom was referred Engrossed House Bills Nos. 115 and 363, desire to report that they have carefully examined the same and find them in all respects correctly engrossed.

Mr. Bumgarner introduced House Bill No. 504. An act to amend section 2 of an act entitled "An act to provide compensation to the owners of Animals killed or injured by the cars, locomotives or other carriage of any railroad company in this State, and to enforce the collection of judgments rendered on account of the same, and to repeal all laws inconsistent therewith," approved March 4, 1863.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Compton introduced House Bill No. 505. A bill requiring a chain of title to be made a part of certain deeds of conveyance,

and requiring conveyances to correctly describe lands in deeds and mortgages, and prescribing a penalty for neglecting or failing so to do.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Benz introduced House Bill No. 506. A bill to amend section 20 of an act entitled "An act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. McCarty introduced House Bill No. 507. A bill to amend section 3 of an act entitled "An act to provide for the clothing and other personal expenses of the pupils of the benevolent institutions of the State, and providing for the manner of their removal to and from said institutions in certain cases therein specified, and the manner of collecting the expenses therefor," approved March 6, 1865.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Koontz presented the petition of citizens of Delaware county, Indiana, asking the passage of a compulsory education law.

Which was referred to the committee on education without reading.

The committee on engrossed bills submitted the following report :
MR. SPEAKER :

Your committee on engrossed bills have compared Engrossed House Bill No. 417 with the original bill, and have to report it back as correctly engrossed.

Mr. Riley introduced House Bill No. 508. A bill prescribing the forms of conveyance that may be executed by sheriffs and coroners to purchasers of real property or of any interest therein.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Thompson, of Elkhart, introduced House Bill No. 509. A bill to amend an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws, approved March 12, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Albert introduced House Bill No. 510. A bill to establish a board of pharmacy to regulate the sale of medicines and poisons, and describe certain duties of the said board of pharmacy, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter submitted the following report from the committee on engrossed bills:

MR. SPEAKER:

Your committee on engrossed bills have compared engrossed House Bill No. 449 with the original, and find it correctly engrossed.

Mr. Hauss introduced House Bill No. 511. A bill to amend section 18 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Baxter introduced House Bill No. 512. A bill relating to the swinging of water gates over streams across public highways.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carson introduced House Bill No. 513. A bill for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Viehe introduced House Bill No. 514. A bill to raise revenue for State purposes for the years 1877 and 1878.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Viehe, by request, introduced House Bill No. 515. A bill to amend section 354 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, and declaring an emergency.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Ames introduced House Bill No. 516. A bill for an act to make State patents for swamp lands, and the record thereof, evidence of title in the State.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 517. A bill authorizing county recorders to enter satisfaction of certain mortgages therein specified, providing compensation therefor, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Henderson introduced House Bill No. 518. A bill for the relief of Weems Heagy, Treasurer of Madison county, and the sureties on his official bond, as such treasurer, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 519. A bill in relation to the duties, fees and liabilities of persons engaged in making examinations of records, preparing and furnishing abstracts of title, statements of record and claims of title.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 520. A bill to amend section 1 of an act entitled "An act for the protection of the Sabbath, and providing penalties for the desecration thereof," approved February 28, 1855.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 521. A bill to incorporate State, district, county, subordinate and individual associations of the order of the "Sovereigns of Industry," and matters properly connected therewith.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Adams introduced House Bill No. 522. A bill to amend an act entitled "An act to render taxation for common school purposes uniform, and to provide for the education of the colored children of the State," approved May 13, 1869. Also, an act to amend

an amendment to an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 8, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 523. A bill to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Peelle introduced House Bill No. 524. A bill requiring foreign insurance companies, doing business in this State to employ attorneys to accept service in case of suit against such companies.

Which was read a first time and passed to a second reading on to-morrow :

Mr. Peelle introduced House Bill No. 525. A bill defining certain felonies and misdemeanors, providing punishment therefor, and to simplify and abridge the rules, practice, pleadings and forms in the courts of this State under the provisions thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Houghton introduced House Bill No. 526. A bill to repeal an act entitled "An act to enable owners of wet lands to drain and reclaim them, when the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and other officers in the premises to provide for the repairs of such drains," approved March 9, 1875.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Scott introduced House Bill No. 527. A bill to amend an act entitled "An act to prohibit profanity," approved March 2, 1855.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Foster of Monroe introduced House Bill No. 528. A bill for the relief of James F. Manley and others.

Which was read a first and passed to a second reading on to-morrow.

Mr. Hall introduced House Bill No. 529. A bill to raise revenue for State purposes.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Freeman introduced House Bill No. 530. A bill providing for the current expenses of the Indiana Reformatory Institution for Women and Girls.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Freeman introduced House Bill No. 531. A bill to amend an act entitled "An act to establish a House of Refuge for the correction and reformation of juvenile offenders," approved March 8, 1867, and repealing section 7 of said act, approved December 10, 1872.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Moorman introduced House Bill No. 532. A bill supplemental to an act to regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns; prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all former laws regulnting the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof, and making further regulations therefor.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Endsley introduced House Bill No. 533. A bill to amend section 87 of an act of the General Assembly of the State of Indiana, entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, and providing for the taking of replevin bail upon judgments by justices of the peace and

constables holding executions, and authorizing constables to administer oaths, and providing fees therefor. Also, an act to amend section 420 of an act of the General Assembly of the State of Indiana, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Endsley introduced House Bill No. 534. A bill to abolish the offices of township and county assessor, and transferring their duties to township trustees.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Oglebay introduced House Bill No. 535. A bill concerning the purchase of stationery, and defining the duties of certain officers in connection therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Union introduced House Bill No. 536. A bill fixing the per diem and mileage of the members of the General Assembly, and providing that they shall provide their own stationery, also fixing the per diem of the officers and employes, and repealing all laws or parts of laws relative thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Kennedy of Union introduced House Bill No. 537. A bill to amend an act entitled "An act providing for the appointment of notaries public, and defining their powers and duties," approved June 9, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carlton introduced House Bill No. 538. A bill to authorize the vacation of town plats, streets and alleys in town plats which have been abandoned and are no longer used for town purposes, and to regulate the reversion of the title to the land taken for

streets and alleys in such vacated town plats and the assessment of lots therein for taxation.

Which was read a first time and passed to a second reading on to-morrow.

RESOLUTIONS, PETITIONS, ETC.

Mr. Smith presented the petition of citizens of Madison county, asking the relief of Weems Heagy, Treasurer of Madison county, and sureties on his official bond, on account of loss sustained through the First National Bank of Anderson, Indiana.

Which was read and referred with House Bill No. 518.

Mr. Adams presented the petition of Zehelda N. McCoy, asking a change in the school laws.

Which was referred with House Bill No. 522.

Mr. Foster of Mouroe presented the petition of James F. Manley, and others, praying relief.

Which was ordered to accompany House Bill No. 528.

Mr. Grubbs offered the following resolution :

WHEREAS, It appears by the report of the Attorney General of Indiana, that there has been collected through his office, during the two years ending November 7, 1876, of claims due the State, docket fees, unclaimed witness fees, etc., the sum of \$83,794.65 ;

AND WHEREAS, It is the right of this House to be informed as to the compensation of officers, to the end that needful legislation may enacted. Therefore,

Resolved, by the House of Representatives, That the Attorney General of the State be and he is hereby requested, at his earliest convenience, to furnish to this House information upon the following matters :

1. What commissions, if any, have been retained by him out of the several sums collected, as shown in schedules "A" and "B," and the recapitulation of his report, specifically stating the amount retained upon each item in said schedules and recapitulation.

2. What commissions out of said sums set out in schedules "A" and "B," and the recapitulation therein, have been paid to or retained by his assistants on account of said collections.

3. What commissions, if any, have heretofore been retained out of the several sums in schedule "B," heretofore settled by note.

4. If commissions for the collection of any sum have been

retained out of any other fund than the collection itself, what fund such commissions were taken from or retained out of.

5. The aggregate amount of such commissions retained by himself and his assistants.

Which was adopted.

Mr. Moorman presented the petition of sundry inhabitants of the State on the subject of temperance.

Which was read and referred to the committee on temperance.

Mr. Moorman presented a memorial on the subject of temperance.

Which was referred to the committee on temperance without reading.

Mr. Adams presented a memorial of the workingmen of Indianapolis.

Which, without reading, was referred to the committee on rights and privileges of the inhabitants of this State.

Mr. Swayzee presented the petition of sundry citizens of Grant county on the subject of temperance.

Which, without reading, was referred to the committee on temperance.

Mr. Baxter presented a memorial of sundry citizens of Greene county, asking the removal of the Southern Prison to the town of Bedford.

Which, without reading, was referred to the committee on prisons.

Mr. Foster of Monroe presented the claim of Louisa C. Martin.

Which, without reading, was referred to the committee on claims.

Mr. Scott offered the following resolution, which was adopted :

WHEREAS, Only one week remains of the present session in which to complete the necessary legislation ; therefore,

Resolved, That after the adoption of this resolution, no member of this House shall be entitled to more than ten minutes time in debating any one measure.

Mr. Stewart, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have compared Engrossed House Bills Nos. 418 and 442 with the original bills, and find each correctly engrossed.

Mr. Conley offered the following resolution :

WHEREAS, But a few days of this session remains ;

AND WHEREAS, The most important part of our duties is making the necessary appropriations for the carrying on of the State government and the several institutions of the State; therefore,

Be it resolved by the House of Representatives, That on its introduction we proceed at once to its consideration and passage, to the exclusion of all other business, until the same is disposed of.

The question being on the adoption of the resolution,

The ayes and noes were demanded by Messrs. Branyan and Conley.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Copeland, Craft, Crumpacker, Dannettell, Davis, Foster of Allen, Foster of Monroe, Girtton, Gossman, Grubbs, Hall, Hauss, Highway, Hosmer, Hubbard, Hulet, Kennedy of Union, Kimmell, Koontz, Lanham, Merriman, Moorman, Morrison, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Whitehead, Zimmerman and Mr. Speaker—59.

Those who voted in the negative were Messrs. Endsley, Freeman, Garver, McCarty, Priest, Scott and Wells—7.

No quorum voting.

Pending the call of the counties at the county of Vigo, the Speaker declared the House adjourned until to-morrow morning.

(Approved.)

JOHN OVERMYER,

Speaker of the House of Representatives.

TUESDAY MORNING,

FEBRUARY 27, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. Father O'Donoghue, of St. John's Cathedral.

On motion by Mr. Paige, the reading of the journal of yesterday's proceedings was dispensed with.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have compared Engrossed Bills Nos. 466, 381, 350 and 3 with the engrossed copies, and find them correctly engrossed.

Mr. Foster of Monroe, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 145, entitled "A bill to amend section 18 of an act entitled 'an act regulating descents and apportionment of estates,'" approved May 14, 1852, have had the same under consideration, and have directed me to report the same back to the House, with the following amendment :

By inserting the words " children, grandchildren, or other descendants " after the word " her " at the end of line 22.

And when so amended, recommend its passage.

The report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Foster of Monroe, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges to whom was referred House Bill No. 407 entitled "An act providing uniform rules for making assignments and collecting promissory notes, notes payable in bank or elsewhere, inland and foreign bills of exchange, bonds, or any instrument in writing, signed by any person or persons who promise to pay money or acknowledge money to be due, or for the delivery of any specific article, or to convey property or to perform stipulations therein mentioned, and declaring all waivers and agreements to waive, whether expressed or implied of any of the rules therein stated, to be against public policy and void, prohibiting the recovery of interest or cost thereon," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Paige, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to which was referred House Bill No. 321, entitled "An act to punish the indiscriminate use of second-hand barrels for the purpose of packing family supplies in for sale or use, and defining the punishment therefor," have had the same under consideration, and have directed me to report the same back to the House with the following amendments :

In lines 5 and 6 strike out the words "flour, meal or;" also, strike out the words "family supplies" in line 6 ; also, in line 1, section 3, insert before the word "use" the word "knowingly."

When so amended we recommend its passage.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges have had under consideration House Bill No. 441, and recommend that as a bill like it is before the House, that it lie on the table.

Which report was concurred in.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 344, entitled "An act to amend section 1 of act entitled 'an act providing for the protection of fish, etc.,'" have had the same under consideration and have directed me to report the same back to the House and recommend that the same do pass.

The report was concurred in and the bill ordered to be engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 425, entitled "An act to protect quails, providing penalties, etc.," have had the same under consideration and have

directed me to report the same back to the House and recommend its passage.

Which report was concurred in and the bill ordered engrossed.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 380, entitled "A bill prohibiting the killing and shipment of quails, prairie chickens and other birds, except in certain cases therein named, etc.," have had the same under consideration, and have directed me to report the same back to the House and recommend that it lie on the table.

The report was concurred in and the bill laid upon the table. —

Mr. Hall, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads to whom was referred House Bill No. 243, an act to prevent extortionate and unjust charges for the transportation of passengers and freight by railroad corporations, have had the same under consideration, and I am directed by said committee to report said bill back with the recommendation that the same be amended by striking out all after the enacting clause and inserting the words transmitted herewith, and that when so amended the said bill do pass :

"That the term railroad corporation as used in this act, shall be held and mean to include any person, firm or persons, whether incorporated or not, who shall do business as common carriers upon any line or combination of lines of railroad, wholly or partly within this State.

Section 2. If any railroad corporation shall, at any point in this State, charge and receive for transportation of any passenger or any freight, or for the use and transportation of any railroad car to or from any point within or without this State, a greater compensation than it shall at the same time charge and receive for the transportation of any passenger or like quantity of freight of the same class, or for use and transportation of any railroad car for like use to or from the same or any other point either within or without the State of like or greater distance, the excess so charged shall be deemed extortionate and unjust; *Provided*, That this act shall not be

so construed as to prevent the sale of commutation, excursion or thousand mile tickets for passengers at less than regular rates; *And provided further*, That in ascertaining the amount of compensation charged and received as aforesaid, all allowances by way of rebate, drawback, special rate or otherwise, shall be deducted, and only the net charges shall be considered in making comparisons.

Section 3. If any railroad corporation, owning or operating any line or combination of lines of partly within or partly without the State, shall refuse to receive freight at any point in this State on its line of road to be delivered at any other point on its line or combination of lines of railroads, either within or without this State, and thereby the owner or shipper of such freight, in order to secure its transportation to its said point of destination, shall be compelled to allow it to be re-shipped, or shall be compelled to ship it over other lines of railroads, and he thereby be compelled to pay a greater compensation than said railroad would have been entitled to charge and receive under the provisions of this act, the excess shall be deemed an extortionate and unjust charge by the railroad corporation so refusing to receive and transport the same.

Section 4. Railroad corporations shall be liable to the person damaged by such extortionate and unjust charges, and he or his assignee may recover the same in any court of competent jurisdiction, with costs of suits and reasonable attorneys' fees for bringing and prosecuting his suit.

Section 5. Any railroad corporation, incorporated under the laws of this State, making any such extortionate and unjust charges in this act set forth, shall forfeit and surrender its rights and privileges as a corporation, and information may be filed against such railroad corporation and proceedings had thereon in conformity with law, and if any railroad corporation operating any line of railroad wholly or partly in this State, by virtue of any contract, lease or otherwise making any such extortionate and unjust charges, shall forfeit their right to operate such road, and information may be filed and proceedings had thereon, as herein before provided in case of railroad corporations incorporated under the laws of this State.

Section 6. Nothing herein contained shall be construed so as to limit in any way the common law liability of common carriers.

Section 7. Whereas an emergency exists for the immediate taking effect of this act, it shall therefore be in force from and after its passage.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Oglebay, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads to whom was referred Senate Bill No. 113, entitled "An act to prevent conductors of freight trains on railroads in this State from obstructing the public highways, declaring such obstruction a misdemeanor and prescribing the punishment therefor," have had the same under consideration, and I am directed to report the same back with the recommendation that the same do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Grubbs, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads, to which was referred engrossed House Bill No. 377, a bill prohibiting counties, townships or cities from taking stock in or making donations to railroad companies, with instructions, have had the same under consideration, and in obedience to said instructions, the committee direct me to recommend that the bill be amended by adding to section 1 the three several provisions returned herewith, and when so amended that the bill do pass:

Amend section 1 by adding these words: "*Provided*, That the provisions of this act shall not invalidate any donation or aid now voted or contracted by any township, city or county to any railroad company.

Also, to amend section 1 by adding these words: "*Provided further*, That this act shall not apply to railroads whose lines have been located and for which one or more counties or townships have voted a tax."

Also, amend section 1 by adding these words: "*And provided further*, Nor shall this act prevent any township or county from voting a tax in aid of the construction of any railroad the line of which has been located."

Mr. Garver moved the previous question.

Which was seconded by the House, and the main question

ordered, being upon concurrence in the report of the committee on House Bill No. 377, and the amendments recommended thereto.

Mr. Hall demanded a division of the question.

The first amendment recommended was agreed to.

The second amendment was also agreed to

The third amendment was also agreed to.

Mr. Cole moved to lay the bill on the table.

Upon which motion the ayes and noes were demanded by Messrs. Morgan and Paige.

Those who voted in the affirmative were Messrs. Albert, Ames, Askren, Austin, Benz, Branyan, Cary, Carr, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Foster of Allen, Freeman, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Houghton, Kennedy of Union, Lockhart Marsh, McCarty, Paige, Sailors, Smith, Thompson of Elkhart, Thomson of Miami and Mr. Speaker—39.

Those who voted in the negative were Messrs. Adams Ashby, Bumgarner, Butler, Chawner, Craft, Crumpacker, Foster of Monroe, Garver, Grubbs, Guthrie, Hall, Harris, Highway, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Lanham, Leeper, Lehman, Madden, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Peelle, Perigo, Priest, Reno, Riley, Scott, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Yaryan and Zimmerman—48.

So the motion did not prevail, and the bill as amended ordered to be engrossed.

Mr. Elwell was granted leave of absence indefinitely.

Mr. Compton, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads, to whom was referred House Bill No. 385, an act to repeal an act entitled "An act to authorize aid to the construction of railroads by counties and townships taking stock in. and making donations to railroad companies," approved May 12, 1869, and the act supplemental thereto, approved January 30, 1873, and the act as amended approved March 17, 1875, and declaring an emergency, have had the same under consideration, and have directed that the same be reported back with the recommendation that it be amended by adding to section 1 these words:

“Provided, That such repeal shall not effect any right acquired under any of said acts, and they shall be considered as remaining in force for the purpose of supporting and enforcing any such right,” and the committee further recommend that the bill be amended by striking out the emergency clause, being section 2, and that when so amended, the bill do pass.

Which report was concurred in and the bill as amended ordered to be engrossed.

Mr. Compton moved that the bill together with the House Bill No. 377 be made the special order for to-morrow at 10 o'clock A. M.

Which was not agreed to.

Mr. Compton, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads to whom was referred House Bill No. 297, an act regulating overcharges for transportation of freight by the various railroad corporations doing business within the State of Indiana, providing penalty, and declaring an emergency, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same do lie upon the table.

Mr. Garver, from the same committee, submitted the following minority report:

MR. SPEAKER:

The undersigned, a member of the committee on railroads, to whom was referred House Bill No. 297, dissents from the report of the majority, and recommend that the bill do pass.

Mr. Cole moved the previous question, which was seconded, and the main question ordered, being upon the adoption of the minority report.

The minority report was not adopted.

The majority report was then concurred in.

Mr. Compton, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads to whom was referred Senate Bill

No. 63, an act to change the name of the Evansville and Crawfordsville Railroad Company, have had the same under consideration, and I am directed to report the same back with the recommendation that the same do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Oglebay, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads, to whom was referred House Bill No. 296, "An act to amend section 3 of an act entitled 'an act regulating the issuing and taking up of tickets, and coupons of tickets, by common carriers, and defining the right of holders thereof, and other matters in relation thereto, approved March 9, 1875,'" have had the same under consideration and have directed me to return the same with the recommendation that the same do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Garver, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads, to whom was referred House Bill No. 403, "An act creating civil engineers, contractors, sub-contractors and laborers' liens upon railroads, etc.," have had the same under consideration and direct me to return the same with the recommendation that the same do lie upon the table.

Which report was concurred in.

Mr. Garver, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred Senate Bill No. 124, "An act declaring it unlawful to get on or off railroad cars and engines when in motion or switching, and providing penalties for its violation," have had the same under consideration, and beg leave to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Foster of Allen, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads, to whom was referred Senate Bill No. 56, an act entitled "An act to amend an act to incorporate the Wabash and Erie Railroad Company," approved February 6, 1851, have had the same under consideration, and I am directed to report the same back with the recommendation that the same do pass.

The report was concurred in, and the bill passed to a third reading on to-morrow.

Mr. Hall, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads, to whom was referred the Senate concurrent resolution in relation to the appointment of joint railroad commissioners, have had the same under consideration, and a majority of said committee direct me to report the same back, with the recommendation that said resolution be indefinitely postponed.

Mr. Foster of Allen, from the committee on railroads, submitted the following minority report :

MR. SPEAKER :

The undersigned, a minority of the committee on railroads, dissent from the report of the majority of said committee on the Senate concurrent resolution in relation to the appointment of joint railroad commissioners from this and adjoining States, and we respectfully recommend the adoption of said resolution.

The minority report failed of adoption, and the majority report was concurred in.

Mr. Koontz, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to whom was referred House Bill No. 465, introduced by Mr. Dannettell, being a bill for an act to authorize and encourage the enclosure of land subject to overflow, etc., have had the same under consideration, and instructed me to report it back, with the recommendation that it do pass.

The report was concurred in and the bill ordered to be engrossed.

Mr. Koontz, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 419, entitled "An act to amend section 2 of an act in relation to county auditors, approved May 31, 1852, and requiring auditors now in office to give additional bonds, have had the same under consideration, and instructed me to report the same back to the House with the recommendation that the bill do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Koontz, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to whom was referred House Bill No. 445, being a bill to amend section 40 of an act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 1, 1852, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Thompson of Elkhart, from the committee on agriculture, submitted the following report:

MR. SPEAKER:

Your committee on agriculture, to whom was referred House Bill No. 443, introduced by Mr. Grubbs, entitled "An act for the encouragement of agriculture by affording relief to the State Board of Agriculture," have had the same under consideration and have directed me to report the same back to the House, with the recommendation that it do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Conley, from the committee on agriculture, submitted the following report:

MR. SPEAKER:

Your committee on agriculture, to whom was referred House Bill

No. 194, entitled "An act to amend sections 3 and 4 of an act entitled 'an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers or others, and also repealing an act to license dogs,' approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled 'an act for the protection of sheep,'" approved June 15, 1852, have had the same under consideration, and have directed me to report the same back to the House, and recommend that the same be amended by striking out all after the enacting clause and insert the following :

Section 1. That all sums of money now remaining in the hands of township trustees, arising from surplus dog tax fund, shall be, upon the taking effect of this act, placed to the credit of the tuition fund of such township, and shall be expended as other tuition funds of the township are expended. The township trustees or the several townships in the State are hereby authorized to pay the same to school trustees of incorporated towns or cities their proportion, prorated according to the enumeration for school purposes within such township.

Section 2. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

And your committee further recommend that when said bill is so amended, it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Conley, from the committee on agriculture, submitted the following report:

MR. SPEAKER :

Your committee on agriculture, to whom was referred House Bill No. 160, entitled "A bill to amend sections 4 and 5 of an act entitled 'an act to discourage the keeping of useless and sheep killing dogs, and providing penalties for the violation of any of the provisions of this act,' " etc., have had the same under consideration, and recommend the following amendments :

In line 16 of section 1, the word "fifty" be stricken out and the words "two hundred" be inserted in lieu thereof; also, change the word "fifty" in line 19 of section 1 to the words "two hundred."

And when so amended, recommend that the bill do pass.

The report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Leeper, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee on fees and salaries, to whom was referred House Bill No. 332, relative to the compensation of county auditors, introduced by Mr. Hatfield, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Branyan, from the committee on corporations, submitted the following report :

MR. SPEAKER :

Your committee on corporations, to whom was referred House Bill No. 421, "An act concerning the recording of articles of association, providing compensation therefor, etc.," have had the same under consideration and have directed me to report the same back to the House with the recommendation that the bill do pass.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Branyan, from the committee on corporations, submitted the following report.

MR. SPEAKER :

Your committee on corporations to which was referred House Bill No. 463, introduced by Mr. Oglebay, entitled a bill concerning the organization of voluntary associations, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be amended by striking out of the same, section 9, being the emergency clause, and when so amended it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Baxter, from the committee on corporations, submitted the following report :

MR. SPEAKER :

Your committee on corporations, to which was referred House Bill No. 477, introduced by Mr. Yaryan, entitled "An act to amend

section 1 of an act entitled 'an act to amend sections 4 and 6 of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes,' " approved May 20, 1852, have had said bill under consideration, and have directed me to report it back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Baxter, from the committee on corporations, submitted the following report:

MR. SPEAKER:

Your committee on corporations, to whom was referred House Bill No. 444, introduced by Mr. Grubbs, entitled "An act supplemental to an act entitled 'an act respecting foreign corporations and their agents in this State,' " have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Morrison, from the committee on affairs of the city of Indianapolis, submitted the following report:

MR. SPEAKER:

Your committee on affairs of the city of Indianapolis, to whom was referred House Bill No. 434, introduced by Mr. Adams, authorizing the establishment of a board of police commissioners in cities of the first class, with population over forty thousand inhabitants, have had the same under consideration, and have directed me to report the same back to the House, and recommend that it do pass.

The report was concurred in, and the bill ordered to be engrossed.

Mr. Houghton was granted indefinite leave of absence.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, to whom was referred House Bill No. 484, being an act to legalize the incorporation of the town of Waterloo, DeKalb county, Indiana, and the several additions thereto, and the official acts of the local board of trustees of said corporation, under "An act for the incorporation of towns, defining their powers, providing for the election of the officers

thereof, and declaring their duties," approved June 11, 1852, and by-laws, evidences, rules, regulations and pleadings adopted in pursuance thereof, have had the same under consideration, and have directed me to report the bill back with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, to whom was referred Senate Bill No. 109, being an act to legalize the incorporation of the city of Bloomington, Monroe county, Indiana, and all official acts done by the common council and officers of said city, have had the same under consideration, and directed me to report the same back with the recommendation that it do pass.

The report was concurred in, and the bill ordered to be engrossed.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, to whom was referred House Bill No. 405, entitled "A bill to amend section 6 of an act entitled 'an act to regulate and license the sale of spirituous, vinous and malt or other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of sales of intoxicating liquors, to repeal all laws and parts of laws coming in conflict with the provisions of this act,'" etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same do pass.

The report was concurred in, and the bill ordered to be engrossed.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, to whom was referred House Bill No. 458, entitled "An act to amend section 61 of 'an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their

powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertains thereto," approved March 14, 1867, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

Which report was not concurred in, and the bill was ordered engrossed.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills have compared Engrossed Bills Nos. 424 and 395 with the original copies, and find the same correctly engrossed.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, to whom was referred House Bill No. 412, introduced by Mr. Cole, entitled "An act to legalize the incorporation of the town of Huntington," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

The question being on concurring in the report.

Messrs. Branyan and Gossman demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Baxter, Cary, Carson, Chawner, Cole, Collins, Copeland, Craft, Dannettell, Endsley, Foster of Monroe, Fromm, Girton, Grubbs, Guthrie, Hubbard, Kennedy of Union, Koontz, Lanham, Lockhart, Moorman, Morgan, McGaughey, Oglebay, Paige, Peelle, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Zimmerman and Mr. Speaker—40.

Those who voted in the negative were Messrs. Ashby, Askren, Benz, Branyan, Bumgarner, Butler, Carlton, Claypool, Coffman, Compton, Conley, Cook, Cooley, Crumpacker, Davis, Foster of Allen, Freeman, Garver, Gossman, Hatfield, Hauss, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, Morrison, Perigo, Priest, Reno, Riley, Scott, Spencer, Stewart, Wells, Whitehead, Yaryan, and Zehring—44.

So the report was not concurred in, and the bill was laid upon the table.

Mr. McGaughey, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 154, being an act to legalize the incorporation of the city of Bloomington Indiana, and all official acts done by the common council and officers of said city, have had the same under consideration, and directed me to report the same back, with the recommendation that it do pass.

The report and the bill were laid upon the table.

Mr. McGaughey, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 72, introduced by Mr. Koontz, entitled "An act to legalize the official acts of the several boards of trustees of the town of Portland, Jay county, and the official acts of each and every officer of said town, from the date of March 6, 1875, as under an act for the incorporation of towns and defining their powers, providing for the election of officers, and declaring their duties," approved June 11, 1852, have had the same under consideration, and have directed me to report it back to the House with the recommendation that it be laid upon the table.

The report and bill were laid upon the table.

Mr. Dannettell, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 144, entitled "A bill to amend an act to amend section 60 of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and regulate such other matters as properly pertains thereto,'" approved March 14, 1873, and adding a supplementary section, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same do pass.

The report was concurred in, and the bill ordered to be engrossed.

Mr. Zimmerman, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns to whom was referred House Bill No. 428, entitled "A bill to provide for the payment of one-half of the taxes assessed and collected in cities on the third Monday in March, and the other half on the third Monday in September of each year, for the proper delinquences and penalties," have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Dannettell, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns to whom was referred House Bill No. 411, an act legalizing the acts of the Board of Commissioners of Miami county, Indiana, incorporating the town of Ridgeview in said county, have have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Zimmerman, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 275, entitled "An act to amend section 8 of an act entitled 'an act to enable incorporated towns to lay out, open, grade and improve streets and alleys,'" etc., approved April 27, 1869, have had the same under consideration, and have directed me to report the same back to the House and recommend that it be laid on the table.

Which report was concurred in.

Mr. Austin, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 398, being an act to provide for appeals from the board of

county commissioners in proceedings to annex territory to cities and towns against the will of the owner, and for the trial of the same in the Circuit Court, have had the same under consideration, and directed me to report that the bill be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Austin, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred Senate Bill No. 168, being an act to legalize the actions of the boards of trustees of the Concordia College, of Fort Wayne, Allen county, Indiana, have had the same under consideration, and directed me to report said bill back with the recommendation that it do pass.

Which report was concurred in, and the bill passed to a third reading.

The following report was submitted by the committee on engrossed bills :

MR. SPEAKER :

Your committee on engrossed bills have carefully compared Engrossed House Bill No. 271 with the original copy and find the same correctly engrossed.

Mr. Austin, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred Senate Bill No. 200, being a bill legalizing the issue, by the Board of School Trustees of the city of Logansport, providing for the redemption of the same and other matters connected therewith, have had the same under consideration, and have directed me to report the same back, with the recommendation that it do pass.

The report was concurred in, and the bill passed to a third reading.

Mr. Paige, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 155, entitled "An act defining the powers of incorporated towns over the assessment, levy and collection of taxes, prescribing

the duties of certain officers in reference thereto, empowering said towns to collect and enforce penalties for the violation of ordinances, repealing all laws inconsistent with the provisions of this act, and declaring an emergency," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation to strike out all after the enacting clause, and insert bill hereunto attached, and when so amended would recommend its passage.

An act defining the powers of incorporated towns over the assessment, levy and collection of taxes, prescribing the duties of certain officers in reference thereto, empowering said towns to collect and enforce penalties for the violation of ordinances, repealing all laws inconsistent with the provisions of this act, and declaring an emergency.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That all taxes for the support of municipal government of incorporated towns of this State, not having special charter, shall be assessed on polls and on the taxable real and personal property therein, and that the rate of taxation upon each one hundred dollars worth of property and the amount to be charged to each poll shall be determined by the board of trustees at their first regular meeting in the month of July in each year, not to be held after the sixteenth day thereof.

Section 2. A poll tax shall be assessed upon each male inhabitant of the town between the ages of twenty-one and fifty years.

Section 3. The town assessor shall, between the first and thirtieth day of June in each year, upon actual view, determine as near as practicable the fair cash value of each tract, lot or part of lot of land subject to taxation within the incorporated limits of the incorporation, and shall list and assess the same: *Provided*, That said assessor may copy from the duplicate of the last appraisement of real estate for State and county purposes in the auditor's office of the county in which said town is situated; said assessor shall, also, between the first and thirtieth days of June in each year, list and assess at its fair cash value all taxable personal property within the incorporation, and list the number of polls therein: *Provided*, That the board of trustees may, whenever they shall so determine, cause to be procured from the auditor's office of the county in which the town is situated, a copy or copies of the last assessment of real and personal property, and of polls, for State and county purposes within said town from the duplicates in said

office, and after causing to be added thereto any person or property liable to taxation which shall have been omitted therefrom, and after striking off the name of any person or any property improperly included thereon, and after causing said list to be carefully revised, may adopt the same as the appraisement for municipal and school purposes; the auditor shall furnish the aforesaid list to said town, on written request from the clerk thereof, and he shall be allowed the same fees for his services as allowed by law for making the tax duplicate for State purposes, to be paid by the town.

Section 4. Each person shall, when called upon by the assessor, make a full statement under oath, in which he shall set forth an accurate description of all personal property of which he was, on the first day of June of the current year, the owner or holder, either in his own right or as guardian, executor or administrator, trustee, parent, husband, receiver, accounting officer, partner, agent or factor; also, all moneys, rights, credits or effects held or owned by him as aforesaid; and it shall be the duty of the assessor to determine and fix the fair market cash value of each article of personal property as aforesaid at the place where the property shall be at the time of its liability to assessment; and the town assessor or his deputy is hereby empowered to administer oath or affirmations to carry out the provisions of this section.

Section 5. Every person liable to taxation in the said town shall deliver to the assessor, when called upon, a statement or schedule setting out an account of all property held or owned by him, her or them; and if any person shall refuse or neglect to furnish said statement or schedule, as required in this section, or shall refuse to take and subscribe the oath or affirmation, as herein required, the assessor shall make out the statement, or schedule, and assess the same, endorsing on said statement, or schedule, the reasons for said action, and from his assessment thus made there shall be no appeal; and it shall be the duty of the board of the town trustees to furnish all necessary blanks for the assessor.

Section 6. It shall be the duty of the assessor to return the assessment roll to the clerk of the town on or before the 30th day of June in each year, and said clerk on the receipt thereof shall notify the tax-payers that said assessment roll is returned by the assessors and open for inspection at the place designated in said notice, that on the first Thursday in July, between the hours of 11 o'clock A. M. and 4 o'clock P. M., the board of trustees will meet as

a board of equalization at their town hall to hear and determine all complaints and all appeals from the act of the assessor. Said notice shall be published in a newspaper of general circulation in said town, or by posting up in not less than five public places in said town for at least ten days before said meeting.

Section 7. The assessment roll having been corrected and completed, as provided in the preceding section of this act, the board of trustees shall, on or before the 16th day of July in each year, levy such tax as they may consider necessary, not to exceed fifty cents upon each poll in said town, and not exceeding seventy cents on each one hundred dollars of real and personal property for municipal purposes, and not exceeding twenty-five cents for each one hundred dollars of taxable property for local tuition. Said trustee shall set opposite the name of each person taxed a description and valuation of the property charged therewith, and the amount of the tax assessed against such person for the current year, and the amount of delinquent tax due for previous years, and when said tax list shall have been made said trustees shall, not later than the first Thursday in August of each year, cause a copy thereof, with a warrant annexed, to be delivered to the marshal of said town. The original assessment roll and tax list shall be deposited with the clerk of said town, who is hereby charged with the safe custody of the same.

Section 8. The warrant shall be under the seal of the corporation, signed by the president and trustees, or a majority of them, and attested by the clerk, and shall command the marshal to collect the taxes specified in his duplicate within ninety days and pay the same over to the treasurer of said town; the trustees may renew such warrant for any period not exceeding sixty days.

Section 9. The marshal shall collect the taxes on said duplicate when so required, and shall have the same power to enforce collection and shall be governed by the same rules as county treasurers and county auditors, and shall have authority in like manner to collect by distress and sale, and to make conveyances and certificates of real estate sold by virtue of such sale, which sale, if at a county seat, shall be at the door of the court house or place of holding court, and if not at the county seat, it shall be held at the door of the town hall or place of meeting of the board of trustees, and the clerk of the board shall perform the like duties at said sale as are required of the county auditor at a sale for State and county taxes, and all deeds or conveyances for lands so sold for taxes shall be *prima facie* evidence of the validity of such purchase.

Section 10. Said marshal shall make his bonds payable to the State of Indiana, in such penalty as the board of trustees shall require, conditional that he shall perform all the duties of his office.

Section 11. Said marshal shall receive the same compensation as the county treasurer of the county receives by law for similar services.

Section 12. An incorporated town shall have power to construct and maintain workhouses within the limits thereof, and it shall be lawful for said corporation to imprison in such proper place as may be designated or established by the board of trustees, any person or persons convicted of offenses against the laws and ordinances of such incorporation, in the case of the failure of such person or persons to pay or stay the judgment recovered of said town.

Section 13. Any person violating the provisions of any ordinances of a town organized under this act, to which there may be a penalty affixed, may be prosecuted before a justice of the peace of such town, upon a warrant served by said justice, as in cases of misdemeanors, and such persons shall, on conviction, stand committed until the fine and cost are paid or replevied : *Provided*, That unless a female, the defendant may be required and compelled during commitment, in default of payment or replevin, to pay and discharge the said fine and cost by manual labor in the workhouse of said town, or upon the streets or public works of said town, at the rate of — per day, in such manner, and under such provisions as the Board of Trustees may order ; and while engaged in said labor the defendant shall be under the control of the marshal or street commissioner, and shall not be required to work more than ten nor less than six hours per day, according to the season, and upon full payment of judgment at the rate of — per day as aforesaid, defendant shall be fully discharged.

Section 14. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

Section 15. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Pending the further consideration of the bill and report, on motion by Mr. Koontz, the House adjourned.

AFTERNOON SESSION,

February 27, 1877.

The House met, with the Speaker in the chair.

Consideration of the report from the committee on cities and towns on House Bill No. 155 was resumed.

The report was concurred in and the bill ordered to be engrossed.

On motion by Mr. Hauss the rules were suspended, whereupon

House Bill No. 487, introduced by the committee on fees and salaries, was read a second time and ordered to be engrossed.

House Bill No. 488, introduced by the committee on fees and salaries, was read a second time and ordered to be engrossed.

House Bill No. 489, introduced by the committee on fees and salaries, was read a second time and ordered to be engrossed.

House Bill No. 490, introduced by the committee on fees and salaries, was read a second time and ordered to be engrossed.

House Bill No. 491, introduced by the committee on fees and salaries, was read a second time and ordered to be engrossed.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have examined Engrossed Bills Nos. 30, 236 and 416 and find the same correctly engrossed.

By consent Mr. Marsh, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred House Bill No. 485, on the subject of the boundary line of this State and the State of Kentucky at Green river island, respectfully report that they have had the same under consideration, and directed me to report the bill back, with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

By consent, Mr. Leeper introduced Joint Resolution No. 25. A joint resolution requiring clerks of circuit courts to report to the Secretary of State the condition of estates and guardianships.

Which was read.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker.—85.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution ?

It was so ordered.

Mr. Adams moved that one hundred copies each of House Bills Nos. 487, 488, 489, 490 and 491 be printed for the use of the two Houses.

It was so ordered.

By consent, House Bill No. 322 was taken up and referred to the joint committee on public buildings.

Mr. Paige, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 228, entitled "An act empowering incorporated towns to contract and maintain workhouses, and authorize the imprisonment therein of persons convicted of offenses against the laws and ordinances of such incorporation, and prescribing the powers and rights of such incorporations, and the manner in which they shall exercise the same in such matters as pertain thereto," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 170, entitled "An act to authorize township trustees to district their township, and the electing of supervisors and assigning them their duties," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be laid on the table.

Which report was concurred in.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads to whom was referred House Bill No. 456, entitled "An act to amend section 10 of an act entitled 'an act providing for the election or appointment of supervisors of highways,' " have had the same under consideration, and have directed me to report it back to the House with the recommendation that it do lie on the table.

Which report was concurred in.

Mr. Koontz, from the committee on roads submitted the following report :

MR. SPEAKER :

Your committee on roads to whom was referred House Bill No. 21, entitled "An act authorizing the assessment of all lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized or gravel road, organized under and in pursuance to an act of the General Assembly of the State of Indiana, entitled 'an act authorizing the construction of gravel roads,' approved May 12, 1852," etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be laid on the table.

Which report was concurred in.

Mr. Mathews, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 341, entitled "A bill to authorize the construction of free gravel

roads, etc.," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it lie on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Sailors, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 306, entitled "A bill that any macadamized or gravel road company, organized under and pursuant to any act of this State, now in force may authorize the construction of macadamized and gravel roads, etc.," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be laid on the table.

Which report was concurred in.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 290, entitled "An act to relieve all persons from performing labor on public highways, other than by taxation," have had the same under consideration, and have directed me to report the same back, with the recommendation that it be laid on the table.

Which report was concurred in.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No. 152, entitled "An act to authorize boards of commissioners to construct or purchase macadamized, turnpikes or other improved roads, and make the same free to all persons traveling thereon," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER :

Your committee on roads, to whom was referred House Bill No.

469, entitled "An act making the township trustee of each civil township, superintendent of roads and highways in his township, and fixing a commutation road tax in lieu of road labor," etc., have had the same under consideration, and have directed me to report it back to the House with the recommendation that the same be laid on the table.

The report was concurred in, and the bill laid upon the table.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER:

Your committee on roads to whom was referred House Bill No. 259, entitled "A bill to authorize boards of commissioners of counties to improve public highways in their respective counties by causing the same to be graded," etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same be laid upon the table.

Which report was concurred in.

Mr. Koontz, from the committee on roads, submitted the following report :

MR. SPEAKER:

Your committee on roads, to whom was referred a petition from citizens of Wayne county, Indiana, as to road making out of their own township, and electing supervisors, are of the opinion that the same is not practicable. The petitioners say they are opposed to making the township trustee supervisor of roads: are also opposed to paying road tax in money. In this your committee think the petitioners' heads are level.

Mr. Koontz, from the committee on roads, submitted the following report:

MR. SPEAKER:

Your committee on roads, to whom was referred House Bill No. 213, entitled "An act supplemental to an act entitled 'an act authorizing the purchasers of plank roads, turnpike roads, and macadamized or gravel roads, or parts thereof, under mortgages or deeds of trust to organize as incorporated companies, and prescribing their powers and duties,'" have had the same under consideration, and have directed me to report it back to the House with the recommendation that the same do pass.

Which report was concurred in, and the bill ordered to be engrossed.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following joint resolution, to-wit:

Engrossed House Joint Resolution No. 14. A joint resolution repealing a joint resolution entitled "A joint resolution requesting the Governor to appoint a suitable person to revise and correct the swamp land books of the State of Indiana, in the office of the Auditor of State," approved March 6, 1865.

And the same is herewith returned to the House.

I am further directed to submit to the House of Representatives for the signature of the Speaker thereof,

Enrolled Act No. 33, Senate of Indiana. An act to amend section 1 of an act to amend section twenty-two of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, approved March 2, 1855.

Enrolled Joint Resolution No. 11, Senate of Indiana. Instructing our Senators and requesting our Representatives in Congress to vote and use their influence to secure the passage of a law to equalize the pensions granted, and to be granted, to soldiers engaged in the war of 1861, who were discharged by reason of disability from wounds received, or disease contracted, in the service of the United States in said war, and in the line of duty, and to the widows of such soldiers as have died from such disability.

And the same are herewith submitted.

Mr. Koontz, from the committee on roads, submitted the following report:

MR. SPEAKER:

Your committee on roads, to whom was referred House Bill No. 393, entitled "An act providing that it shall be unlawful for turnpike companies to collect and receive toll in certain cases," have had the same under consideration and have directed me to report the same back to the House with the recommendation that the same be amended by adding a third section, providing: "that any person

making a false statement to the gate keeper, as to going or returning from funerals or religious meetings, shall be guilty of a misdemeanor and fined in any sum not exceeding three dollars."

And when so amended do recommend its passage.

Which report was concurred in, and the bill as amended was ordered to be engrossed.

Mr. Koontz, from the committee on roads, submitted the following report:

MR. SPEAKER:

Your committee on roads to whom was referred House Bill No. 272, introduced by Mr. Wells, entitled "A bill providing for construction and repairing of roads and highways," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the said bill be amended by striking out all after the enacting clause and insert in lieu thereof the following:

A bill repealing an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, and providing for the election or appointment of township supervisors, and prescribing their powers and duties, and providing for the levy and collection of road tax and the appropriation thereof, and prescribing the duties of county and township officers in relation to roads and other matters connected therewith.

Mr. Lanham moved the previous question.

Which was seconded by the House and the main question ordered, being on concurring in the report.

The ayes and noes were demanded by Messrs. Cole and Johnson of Dearborn.

Those who voted in the affirmative were Messrs. Chawner, Claypool, Coffman, Cole, Conley, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harper, Johnson of Dearborn, Koontz, Lockhart, Marsh, Mathews, Moorman, Priest, Sailors, Scott, Smith, Swayzee, Thompson of Elkhart, Thompson of Howard, Warrum, Wells and Whitehead—29.

Those who voted in the negative were, Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Braunan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Collins, Compton, Cook, Cooley,

Copeland, Craft, Crumpacker, Dannettell, Davis, Foster of Allen, Fromm, Girton, Gossman, Harris, Hatfield, Hauss, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Madden, Merriman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Spencer, Stewart, Thomas, Thomson of Miami, Viehe, Yaryan, Zehring, Zimmerman and Mr. Speaker—65.

So the report of the committee was not concurred in, and the bill was laid upon the table.

The Speaker announced that he had signed Enrolled Act of the Senate No. 32, and Enrolled Senate Joint Resolution No. 11.

Mr. Koontz, from the committee on roads, submitted the following report:

MR. SPEAKER:

Your committee on roads, to whom was referred House Bill No. 207, entitled "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same do pass when amended as follows, to-wit:

Amend section 6 by adding after the word "paid" in last line of said section, the following: "*And provided further*, That no omissions of tracts of lands within the prescribed limits shall have the effect to render void said assessments, but the company shall have the right to proceed and have any lands omitted assessed under the provisions of section 4 of this act."

Which report was not concurred in, and the bill was laid upon the table.

Mr. Mathews moved that House Bill No. 57, an act providing for the improvement of highways and repealing all acts inconsistent therewith, be taken from the table.

Which was agreed to.

The question being, shall the bill be ordered engrossed?

It was so ordered.

On Mr. Leeper's motion, House Bill No. 456 was taken from the table and placed on the calendar.

Mr. Harper from the committee on statistics and emigration, submitted the following report :

MR. SPEAKER :

Your committee on statistics and emigration, to whom was referred House Bill No. 230, an act creating a department of statistics in the office of the Secretary of State, and prescribing rules and regulations for the government of the same, have had the same under consideration and have directed me to report the same back with the recommendation that it do lie on the table.

The report was concurred in, and the bill laid upon the table.

Mr. Peelle, from the committee on insurance, submitted the following report :

MR. SPEAKER :

Your committee on insurance, to whom was referred House Bill No. 315, being a bill for an act entitled "An act to create an insurance department," have had the same under consideration, and the committee have directed me to report the same back to the House with the recommendation that the following amendments be made, to-wit :

Amend section 2 of said act by striking out all of lines 6, 7 and 8, and all in line 9, to the figures 1881, inclusive, and insert in lieu thereof the following: "In January, 1879, and he shall hold his office for the term of four years, and until such appointment is made the Auditor of State shall be ex-officio superintendent of the insurance department, who shall do and perform all of the acts and duties required of such superintendent."

Amend section 7 by striking out all after the word "two" in line 19, and insert in lieu thereof the following, to-wit: "of the executive officers of."

Amend section 10 by inserting after the word "State" in line 3, the following, to-wit: "at their cost and at cost price."

Amend section 11 by inserting after the word "recommendations" in line 11, the following, to-wit: "in person or otherwise."

Amend section 15 by striking out all after the figures "\$1.00" in line 14, and insert in lieu thereof the following, to-wit: "for certificate of authority for each agent to do business in each county in this State five dollars," which certificates of authority shall be filed in the clerk's office of the circuit court in each county where such agents desire to transact business, and shall be noted in the vacation

entries of the order book of such court, and indexed, for which service said clerk shall receive a fee of twenty-five cents, to be paid by such company or agent, also, further amend section 16 by striking out all after the word "purpose" in line 21 of said section 16.

Amend section 19 by striking out all after the word "company" in said section, and insert in lieu thereof the following, to-wit: "In some safe depository or bank in Indianapolis, Indiana, and when so deposited shall not be removed, except as in this act provided."

Amend said bill further by striking out all of section 20.

Mr. Peelle, from the committee on insurance, submitted the following report :

MR. SPEAKER:

Your committee on insurance, to whom was referred House Bill No. 316, being a bill for act entitled "An act to define and regulate life insurance," have had the same under consideration, and the committee have directed me to make the following report:

Amend section 19 by adding, after the word "States" in line 13, the following, to-wit: "or in the bonds of some one or more of the counties, cities or towns of this State."

Also, further amend said section by adding, after the word "sufficient," in line 18, the following, to-wit: "real estate."

Amend section 41 by striking out all after the word "collected," in line 6, and insert in lieu thereof, the following, to-wit: "from such company for the benefit of such department, viz."

Also, further amend said section 41 by striking out all in line 14 and insert in lieu thereof, the following, to-wit: "for certificate of authority for each agent to do business in each county in this State, to be filed in the Clerk's office of the Circuit courts, as required by law, \$5.00.

Amend section 52 by striking out all after the word "and," in line 6; strike out the word "penalty" in line 7, and all after the word "State," in line 8.

Amend section 55 by adding after said section the following, to-wit: "*Provided*, That nothing in this act shall be so construed as to prevent any Masonic, Odd Fellows, charitable or other benevolent society or association now organized under the laws of this State, or that may hereafter organize under the laws of this State, from transacting the business of life insurance."

And your committee recommend that when said bill is so amended that it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

Mr. Scott entered a motion to reconsider the vote taken this morning on House Bill No. 412.

Mr. Peelle, from the committee on insurance, submitted the following report:

MR. SPEAKER:

Your committee on insurance, to whom was referred House Bill No. 159, a bill to amend section 3 of an act entitled "An act to regulate foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," approved March 12, 1875, have had the same under consideration, and have directed me to report the same back to the House, and recommend the same to be indefinitely postponed.

Which report was concurred in.

Mr. Peelle moved that House Bill No. 503 be taken up, considered engrossed, read a second time, read a third time by sections and put upon its passage.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cooley, Copeland, Craft, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—77.

Those who voted in the negative were Messrs. Austin, Cook, Crumpacker, Davis, Freeman, Harper, Morrison, Stewart and Wells—9.

So the constitutional rule was suspended, the bill was read a second time and a third time, being,

House Bill No. 503. A bill supplemental to an act entitled "An

act providing for a general system of common schools in all cities of thirty thousand or more inhabitants, and for the election of a board of school commissioners for such cities, and defining their duties and prescribing their powers and providing for common school libraries within such cities," approved March 3, 1871.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Amies, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—84.

Mr. Cook voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was ordered that the words "and declaring an emergency," be stricken from the title.

Mr. Peelle, from the committee on insurance, submitted the following report :

MR. SPEAKER :

Your committee on insurance, to whom was referred Engrossed Senate Bill No. 45, being a bill for an act entitled "An act to exempt benefits, claims and interest in the wife, children and dependents of members of Masons, Odd Fellows and other charitable societies, and exempting certain policies of life insurance from the claims of creditors," etc., have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill passed to a third reading.

On Mr. Branyan's motion, it was agreed that when the House adjourns, it shall be until 7 o'clock this evening.

Mr. Smith, from the committee on printing, submitted the following report :

MR. SPEAKER :

Your committee on printing, to whom was referred House Bill No. 233, introduced by Mr. Henderson, have considered the same, and the majority of said committee have directed me to report the same back with the recommendation that the same do lie on the table.

Mr. Lehman, from the same committee, submitted the following minority report :

MR. SPEAKER :

We, the minority of your committee on printing, to whom was referred House Bill No. 233, introduced by Mr. Henderson, differing with the majority of said committee, beg leave to submit the following amendment to said bill, and that when so amended recommend its passage :

Amendment to House Bill No. 223 : Amend by striking out all after the enacting clause and insert the following, to-wit :

Section 1. That it shall be the duty of the Principal Secretary and Assistant Secretary of the Senate, and the Principal and Assistant Clerks of the House to provide for and superintend the printing, binding, proof reading and indexing of the Journals of their respective Houses ; the printing and binding to be done under the provisions of the act approved March 13, 1875, entitled "An act to provide for the public printing and binding."

Section 2. There shall be paid the Principal Secretary and Assistant Secretary of the Senate three hundred dollars, and the Principal Clerk and Assistant Clerk of the House the sum of three hundred dollars for the labor they are required to perform by the first section of this act, the whole sum of six hundred dollars to be paid out of any moneys in the treasury not otherwise appropriated : *Provided, however,* That such sum of three hundred dollars shall only be paid for a full, regular session, and a *pro rata* of said sum for special sessions, or for a regular session of less than sixty-one days duration.

Section 3. There being no law now in force providing for the printing, binding, proof reading and indexing of the Senate and

House Journals, therefore an emergency exists for the immediate taking effect of this act, and the same shall take effect and be in force from and after its passage.

The minority report was not adopted.

The majority report was then concurred in.

Mr. Freeman, from the committee on reformatory institutions, submitted the following report :

MR. SPEAKER :

Your committee on reformatory institutions, to whom was referred the communication of His Excellency, the Governor, transmitting a communication from the American Social Science Association relative to the International Prison Congress to be held at Stockholm in August next, and requesting this State to send a Representative to said Prison Congress, have had the same under consideration, and have directed me to recommend that no action be taken in reference thereto.

Which report was concurred in.

Mr. Freeman, from the committee on reformatory institutions, submitted the following report :

MR. SPEAKER :

Your committee on reformatory institutions have visited the reformatory institution for women and girls, located near this city, and beg leave to submit this, our report :

We gave the buildings, books and accounts, and general affairs of the institution as thorough inspection as our time would allow. We found the buildings in good condition, and inmates under a good state of discipline. We inspected books and papers, and, as far as we could ascertain, they were correct. We were highly pleased with the system of teaching and the school discipline, as well as the proficiency of the scholars. The several officers and teachers seem to be much interested in their work, but owing to the construction of the building labor under great disadvantages. We are of the opinion that the building should have been so constructed that the inmates could have been divided into families, as the girls could have been better taught and qualified for the duties of housekeeping, and the vicious could have been isolated from the less hardened. We are unable, however, to point out the remedy without additional buildings, which is an expense that, in the present state of the experiment, we are unwilling to recommend.

We find that some misunderstanding exists between the superintendent of the reformatory and the board of managers thereof, particularly the President of the Board, which we hope may be speedily adjusted. The Board of Managers are under bond and oath to perform their duties, and are responsible for the management of the affairs. There are also a Board of Visitors, who are not under any moral or penal obligations. As there have been misunderstandings and bickerings between the two boards, your committee recommend that the law conferring the power on the Governor to appoint such a Board of Visitors be repealed.

We are clearly of the opinion however that the misunderstandings between the two boards grow out of a difference in the interpretation of the laws applicable to the expenditures of money for improvements, and not through any corrupt or mercenary motives, but as said before the board of managers being penally and morally bound, we are clearly of the opinion that they should have full control of the financial management.

We found a fund of \$27,402.84 to the credit of the institution from counties and earnings of inmates, upon which no drafts have been made. There is now no law by which this amount can be drawn, and if no appropriation be made by the Legislature at any time this institution would be compelled to turn its inmates out of doors; this is the only one of our public institutions which could thus suffer; therefore your committee submit with this report a bill for an act which will allow them to draw on the above fund, and to serve in lieu of any appropriation for the year ending December 31, 1877. And also recommending an appropriation of twenty thousand dollars (\$20,000.00) for the year ending December 31, 1878.

Owing to the fact that a portion of the appropriation for last year was taken for the purpose of improving the grounds the board of managers run short last year \$3,000.00; your committee would call attention to the fact that this appropriation is a saving to the State over the appropriation of the last Legislature of \$32,000.00.

We recommend that some arrangement be made whereby the making of clothing for the boys in the House of Refuge, and also as far as possible for the convicts in the two penitentiaries, be transferred to the Women's Reformatory, thus giving the inmates there steady employment, and saving to the State thousands of dollars.

All of which is respectfully submitted.

Mr. Stewart, from the committee on reformatory institutions, submitted the following report:

MR. SPEAKER :

Your committee on reformatory institutions, having among its other various duties, that of visiting the House of Refuge for Boys, at Plainfield, beg leave to submit this, their report, in regard to said institution :

We have made our visit there, and have given the institution as thorough an inspection as possible, considering the limited time at our disposal.

We found 330 boys in the House of Refuge, who to all outward appearances, are well fed, clothed and instructed.

Those of them your committee conversed with, were apparently well contented, and made no complaint of ill usage.

Their moral instruction is believed by your committee to be all that can be desired.

The buildings were found to be in good condition, with the exception of the drainage, which is very defective, and which leaves the basements in a damp and mouldy condition, which your committee thinks accounts in part, for the great prevalence of typhus and other fevers.

We made an effort to ascertain the financial condition of the institution, but owing to the loose manner of keeping the books and accounts, by the former Superintendent, it was an impossibility to even approximate the same. It would we think be impossible to settle up the accounts of the institution with any degree of accuracy, and although we do not think the commissioners have been corrupt, we do think they have been reprehensibly careless, and we cannot hold them blameless for the existing state of affairs.

They have heretofore allowed a method, or rather want of method of doing business, to become common, which for looseness is certainly not surpassed by the most careless. And your committee would earnestly recommend that some steps be taken to enforce a more perfect system of accounts in the future.

Your committee would also recommend that the mode of farming be changed, and that more attention be paid to the raising of vegetables for market, that the institution may be made more nearly self-sustaining, by the sale of products from the gardens ; also, that the culture of broom corn be encouraged, that the boys may have

more employment in the winter, in manufacturing the same into brooms. The cultivation of these products, would be a great advantage, by requiring a greater amount of labor to the acres farmed.

In order to carry out these suggestions it would be necessary to procure the services of some practical farmer, as the duties of the Superintendent are so varied, and his time so thoroughly occupied with the institution. He should have assistants who are competent to manage their respective departments without his immediate supervision at all times.

We find seventeen head of horses and two yoke of oxen on the place, which, for the number of acres farmed (about 170) and amount of hauling done, we think is entirely too many. There should be at least five or six horses and one yoke of oxen sold.

We can not see the propriety of keeping as expensive horses as some that are there for inexperienced boys to have the management of. All horses worth over \$100.00 should be sold and cheaper ones substituted; a few more cows might be added from the proceeds.

Your committee also met the Senate committee on reformatory institutions at their rooms on February 16, 1877. A minute of the meeting and the action taken therein, including a recommendation for an appropriation for building a hospital for the House of Refuge is herewith incorporated with, and made a part of this report.

We find that the law does not give the Superintendent sufficient authority in retaking deserters, and we herewith submit for the consideration of the General Assembly, a bill for the purpose of remedying that defect.

We also recommend an appropriation for current expenses for the year 1877, of twenty-six thousand dollars (\$26,000.00,) and for the year 1878, twenty-seven thousand dollars (\$27,000.00), and a specific appropriation of twenty-five hundred dollars (\$2,500.00) for the purpose of drainage of the grounds.

We would call your attention to the fact that the appropriations recommended, are a saving to the State of fourteen thousand and five hundred dollars (\$14,500.00,) over the appropriations of the last Legislature.

All of which is respectfully submitted.

SENATE COMMITTEE ROOMS,
INDIANAPOLIS, IND., Feb., 16, 1877.

The Senate and House committees on reformatory institutions met, a quorum of each committee being present.

A motion was made and carried that the Trustees of the House of Refuge be instructed to purchase additional farm lands out of proceeds derived from operations of the chair shops located at the House of Refuge.

The following resolution was adopted :

Resolved, That the compromise entered into by the Trustees of the House of Refuge with Frank B. Ainsworth and his sureties, in which such sureties agree to make over to the State certain lands and money in payment of a debt due the State by the said Ainsworth by reason of a deficit occurring in the accounts of the said Ainsworth during his official term as such Superintendent of such House of Refuge, be adopted.

A motion was made to reconsider the motion—give power to trustees to purchase lands out of receipts of chair shops—was lost by a tie vote.

The following resolution was offered and adopted :

Resolved, That the committee shall report a recommendation for a specific appropriation of \$2,500.00 for building hospital for House of Refuge.

The following resolution was adopted :

Resolved, That there be recommended an appropriation for the current expenses of the House of Refuge for the year 1877 the sum of \$26,000.00, and for the year 1878 \$27,000.00.

A bill was then adopted and agreed to be presented in relation to Female Prison appropriations.

Mr. Johnson of Carroll, presented the claim of George F. Chittenden and John T. Richardson against the State for services as trustees on board for Insane Hospital department for women.

Which was referred to committee on claims, without reading.

Mr Swayzee, from the committee on reformatory institutions, submitted the following report :

MR. SPEAKER :

Your committee to which was referred Senate Bill No. 14, ask leave to report that we have given the bill a very brief consideration, as it did not come into our hands until the evening of the 26th, we

therefore report the same back for the action of the House, without expressing any opinion as to its merits.

The bill was ordered to a third reading.

Mr. Paige presented the petition of citizens of Kokomo, Howard county, Indiana, asking the passage of a law limiting the rate of municipal taxation to one per cent. per annum.

Which was read and laid upon the table.

Mr. Cary presented the petition of inhabitants of the State on the subject of temperance.

Which was referred to the committee on temperance without reading.

Mr. Carlton, presented the claim of N. B. Taylor against the State of Indiana for professional services, also the claim of Peter Fee against the state.

Which was referred without reading to the committee on claims.

Pending the call of joint committees for reports, on motion by Mr. Riley the house adjourned.

NIGHT SESSION,

TUESDAY, February 27, 1877—7:30 P. M.

The House met, with the Speaker in the chair.

By consent, the order of business was suspended.

Mr. Reno introduced House Bill No. 539. A bill regulating discount on written evidences of moneyed indebtedness, and repealing all laws in conflict therewith.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Reno introduced House Bill No. 540. A bill concerning interests on money, and prescribing penalties for violating the provisions thereof.

Which was read a first time and passed to a second reading on to-morrow.

By consent Mr. Langdon introduced House Bill No. 541. A bill to provide for the settling of bills of exceptions by judges after expiration of office.

Which was read a first time and passed to a second reading on to-morrow.

By consent, Mr. Lockhart introduced House Bill No. 542. A bill to discourage the keeping of worthless and sheep-killing dogs, providing for the licensing and registration of dogs, and prescribing penalties for the violation of the provisions of this act by officers and others, creating a fund for the payment of damages to owners of sheep maimed or killed by dogs, repealing all conflicting laws and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

By consent Mr. Lockhart introduced House Bill No. 543, A bill to amend sections 96 and 97 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Ashby introduced House Bill No. 544. A bill to change the name "Village of Richland City," Spencer county, Indiana, to "Axton."

Which was read a first time and passed to a second reading on to-morrow.

By consent, Mr. Cooley introduced House Bill No. 545. A bill declaring the qualification, the manner of selecting judges, clerks of elections, and fixing the compensation of judges, clerks and inspectors, the manner of their payment and the duties of the clerk of the circuit court and auditor in relation thereto.

Which was read a first time and passed to a second reading on to-morrow.

By consent, Mr. Sailors introduced House Bill No. 546. A bill to authorize county commissioners to employ an attorney to defend indigent persons in criminal courts.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Dannettell introduced House Bill No. 547. A bill to amend section 1 of an act entitled "An act to amend section 1 of an act

entitled an act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,' approved March 6, 1865, and adding supplemental sections thereto," approved March 8, 1873.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Carr introduced House Bill No. 548. A bill to amend section 5 of an act to amend an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding the courts therein, abolishing the courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases, approved March 6, 1873, and creating the Thirty-ninth judicial circuit, providing for the appointment of a judge thereof, and repealing all laws and parts of laws inconsistent herewith, and declaring an emergency," approved March 5, 1875.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Carr introduced House Bill No. 549. A bill to amend section 3 of an act entitled "An act to regulate and secure the sale of spirituous, vinous, malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns, providing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all former laws regulating the sale of intoxicating liquors, and all laws or parts of laws coming in conflict with the provisions of this act, providing penalties for violating the provisions thereof, and declaring an emergency."

Which was read a first time and passed to a second reading on to-morrow.

The joint committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills have this day delivered to the Governor for his signature Enrolled Senate Bill No. 33, and Enrolled Senate Joint Resolution No. 11.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills, to whom was referred House Bills Nos. 419 and 479, desire to report that they have examined the same and find them correctly engrossed.

By consent, Mr. Kennedy of Rush offered the following resolution:

Resolved, That the committee on roads be requested to porter Senate Bill No. 177 back to the House without amendment, to-morrow morning.

Mr. Gossman moved to lay the motion on the table.

Which was not agreed to.

The resolution was then adopted.

By consent, Mr. Hauss, from the committee on trust funds, submitted the following report:

MR. SPEAKER:

Your committee on trust funds, to whom was referred House Bill No. 486, entitled "A bill for the distribution of any and all unemployed funds that may now be or may hereafter come into the State Treasury, and which are not otherwise provided for by law," have had the same under consideration, and have directed me to report the said bill back with the recommendation that it be amended as follows, to-wit: "Whereas, an emergency exists for the immediate taking effect of said act, it shall be in force from and after its passage."

And when so amended, it do pass.

The report was concurred in, and the bill as amended, ordered to be engrossed.

By consent Mr. Carson, from the committee on corporations, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred Senate Bill No. 29, have had the same under consideration and would respectfully report that the same do pass.

Which report was concurred in, and the bill passed to a third reading.

By consent Mr. Viehe, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred House Bill No. 289, introduced by Mr. Gossman, being a bill for an act to legalize sheriffs', guardians' and administrators' sales, have had the same under consideration, and instructed me to report it back with the following amendments, to-wit :

Strike out the words "and whereas" in line 6, and insert in lieu thereof the word "wherein;" and strike out the words "a German newspaper" in line 8, and insert in lieu thereof "German newspaper." And your committee recommend that when the bill is so amended, it do pass.

Which report was concurred in, and the bill as amended ordered to be engrossed.

By consent Mr. Branyan, from the committee on corporations, submitted the following report :

MR. SPEAKER :

Your committee on corporations to whom was referred Senate Bill No. 189, introduced by Mr. Winterbotham, being "An act concerning the powers of cities over harbor channels and other water thoroughfares, and over docks, and dock property, and declaring an emergency," have had the same under consideration, and direct me to report the same back to the House with the recommendation that the same do pass.

The report was concurred in, and the bill ordered to be engrossed.

Mr. Compton, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred Senate Bill No. 224, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Thomas, from the committee on sinking fund, submitted the following report :

MR. SPEAKER :

Your committee on sinking fund, to whom was referred the

affairs of said fund, find on examination that on the first of March, 1873, the General Assembly passed an act to consolidate certain mortgages, loans, forfeitures, bills securable and other debts and accounts due, in one non-negotiable bond, and making other provisions thereto. The provisions referred to in the above act, was the discontinuance of the sinking fund as a separate department. It was further provided in said act that the Auditor of State pay into the Treasury of the State the sum of four thousand four hundred and forty dollars and forty-two cents, money in hand belonging to the sinking fund, which shall be placed to the credit of the general fund of the State, and the said Auditor shall also pay into the treasury the further sum of \$2,733.26, which sum shall be retained in the treasury for the benefit of persons entitled thereto by law, to whom it shall be paid upon the warrant of the Auditor of State upon proper application thereof, and the Auditor of State shall surrender to the Treasurer of State all the bills receivable, mortgage loans and forfeitures enumerated in the act, together with all books and papers therewith connected and necessary to the sale or safe collection on settlement of said indebtedness on forfeitures.

And furthermore, by a resolution of this House the Attorney General was requested to furnish this House with all the information in his possession relative to said funds, and he respectfully informs this House that he is not in possession of the information required in the resolution.

And your committee ask to be discharged from the further obligations of the committee.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills to whom was referred House Bill No. 46, have carefully compared the same with the original, and find it correctly engrossed.

SENATE BILLS ON FIRST READING.

Engrossed Senate Bill No. 296. An act to authorize township trustees to issue and sell bonds in certain cases for the purpose of providing funds to build school houses in unincorporated towns, and providing under what condition said trustee may issue and sell such bonds, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 320. An act revoking conditions of the bond of the Township Trustee of Ross township, Clinton county, Indiana, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Collins, from the committee on fees and salaries, submitted the following report :

MR. SPEAKER :

Your committee on fees and salaries, to whom was referred House Bill No. 481, introduced by special committee on library expenditures, and on the subject of the State Librarian, and matters connected with his office, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to be engrossed.

By consent Mr. Yaryan, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means to whom was referred Joint Resolution No. 2, relative to a uniform rate of interest throughout the United States for the loan and forbearance of money, and providing penalties for violations and invasions thereof, have had the same under consideration, and instructed me to report that it is inexpedient to legislate on the subject and recommend that the same be laid on the table.

Which report was passed over informally until to-morrow.

Mr. Yaryan, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means, to whom was referred the claim of Patrick McGuire, have directed me to report against the allowance of said claim and to allow said McGuire to withdraw his claim from the files of the House.

Which report was concurred in.

Mr. Yaryan, from the committee on ways and means, submitted the following report :

MR. SPEAKER :

Your committee on ways and means, to whom was referred

Senate Bill No. 235, have had the same under consideration and direct me to report that this is a bill to concentrate in the office of the State Auditor the land records and papers now scattered in various offices, to enable them to be arranged so as to become available and more effectually to preserve them. When we remember that proofs of title to millions of acres of land in Indiana are involved in these records and papers it will be seen that the measure is one of great public utility. Your committee find some imperfections in the bill which they have endeavored to correct. They therefore recommend that it be amended as follows, and when so amended it be passed :

Amend section 1 by adding the words, "And that the Secretary and Treasurer of State, and all other public officers and persons having the custody of any of the records and papers herein mentioned, be and they hereby authorized and directed to transfer the same to the Auditor of State."

Amend section 2 by striking out of lines 8 and 9 the words, "at Terre Haute, duly authenticated copies;" also, by striking out in lines 14, 15 and 16 the words, "and that they cause said certified copies to be deposited and recorded in his office;" also, by striking out all after the word "State" in line 23.

Amend by striking out section 4 entirely.

Amend section 5 by numbering it as section 4 and striking out all contained in lines 9, 10, 11 and 12.

Amend section 6 by numbering it 5.

Which report and amendments were concurred in, the amendments ordered engrossed and the bill as amended passed to a third reading.

By consent, Mr. Yaryan introduced Joint Resolution No. 26. A joint resolution to repeal joint resolution number 6, passed at the regular session of the General Assembly of the State of Indiana.

Which was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Fromm, Gossman, Grubbs, Guthrie, Hall, Harper, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Mathews, Merriman, Moorman, Morrison, Oglebay, Paige,

Peelle, Perigo, Priest, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Albert, McCarty and Reno—3.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution.

It was so ordered.

The regular order of business was resumed.

Mr. Thomson of Miami, from the joint committee on public buildings, submitted the following report :

MR. SPEAKER :

Your joint committee on public buildings, to whom was referred House Bill No. 322, entitled "A bill to authorize and provide for the erection of a new State House, and for matters incident thereto," have given such bill careful consideration, and have directed me to report the same back to the House, recommending that all after the enacting clause thereof be stricken out, and the following amendment substituted in lieu thereof :

Section 1. That for the purpose of organizing to build a new State House the Governor shall appoint four State House Commissioners, who shall be selected in equal number from the two leading political parties of the State, and, together with the Governor, constitute the Board of State House Commissioners. The Governor shall notify such persons of their appointment under his certificate and seal, and such notice shall constitute their commission and be by them deposited in the office of the Secretary of State, and there recorded. The commissioners so appointed shall each give bond, to be approved by the Governor, in the sum of twenty thousand dollars, conditioned for the faithful performance of such duties as may be imposed upon them by law, and that the cost of the building shall not exceed two millions of dollars, without the express authority of the General Assembly therefor. The Governor shall not give bond by reason of being a member of such board, and shall be the president thereof. He shall sign the record of the proceedings of the board, and shall sign or stamp all vouchers before a warrant is drawn upon them. He may, for cause, remove any member of the board, and shall report the fact

and the cause to the next General Assembly. He shall fill by appointment all vacancies occurring by reason of such removal, or other cause. The person so appointed to fill any vacancy shall be selected from the political party to which his predecessor belonged.

Section 2. The persons appointed State House Commissioner as above provided, shall, within thirty days after their appointment, qualify by taking an oath that they will honestly, diligently, and according to law, discharge the duties of State House Commissioner. They shall have kept a record of their proceedings, shall report quarterly to the Governor, for the use of the public, a synopsis of their proceedings and an account of their expenditures. They may make such rules and regulations for the payment of money, the government of contractors and employes, and the management of the grounds and premises as they may deem prudent, not inconsistent with this act and the laws of the State. They may meet on their own adjournment, and shall meet on the call of the president of the board. A quorum present shall be sufficient to do business. They shall receive for their services the sum of five dollars per day and actual traveling expenses for the time they are actually employed in attending to their duties as State House Commissioners.

Section 3. The Board of State House Commissioners are authorized and directed as herein provided, to build a new State House, the cost of which shall not exceed two millions of dollars, on the grounds provided by the State for that purpose in the city of Indianapolis, and bounded by Tennessee, Mississippi, Washington and Ohio streets, and when it becomes necessary they shall cause the old building to be removed, and they shall provide temporary quarters for the General Assembly and for the officers now occupying the present building. And the said commissioners are authorized and directed to contract and agree with the city of Indianapolis or persons interested, for the vacation of any intersecting streets and alleys for disposing of tools and materials and for the purpose of laying down temporary connecting railroad tracks for the transporting of materials, tools, etc. And the city of Indianapolis is hereby authorized to make such agreement and contracts as is therein contemplated.

Section 4. The Board of State House Commissioners in making selection of a plan for the erection of a new State House, shall call to their assistance at least one competent and qualified architect of known skill and ability in his profession, who shall not

have submitted a plan for competition, also, one civil engineer and one builder, who shall each be of good standing in their respective avocations, and shall cause them to take an oath as follows in such instance : I solemnly swear, or affirm, that I have no pecuniary interest whatever in the selection of the plan for a new State House, that I will not be influenced in my decision by any personal prejudices or impartialities, but will faithfully discharge my duty according to law, and will hold my action and the action of the State House Commissioners in the selection of a plan for a new State House which may come to my knowledge, in strict confidence."

The commissioners shall then proceed to give the plans now in possession of the State, with such additional drawings as may be submitted for their further explanation, a thorough and critical examination—in the progress of which they shall cause the experts so called to their aid to thoroughly examine all the said plans and the specifications thereof, and test the estimates submitted. If they shall find the specifications and estimates correct, and that the buildings, or any one of them, contemplated in such plans can be constructed within the limit of two millions of dollars, be suitable in respect to permanence and convenience, adapted to all the purposes and aims of a State House building, and in keeping with the dignity of the State, the commissioners may select the most meritorious of such plans and notify the successful architect thereof, and shall then return the drawings of the rejected plans to the authors thereof. If, however, after such examination, the Board of Commissioners shall find that none of said plans are suitable, they shall reject them all and at once cause publication to be made in two newspapers within the State, and one each in the cities of New York, Boston, Philadelphia, Chicago, Cincinnati and St. Louis, that at certain times, not to exceed ninety days thereafter, they will proceed to examine such plans and specifications for a State House building, not to exceed in cost two millions of dollars, as may be submitted to them by competing architects; and each of said competing architects shall submit to the Board a sealed proposal as to what fees, salary or percentage he will charge or expect if his plan should be adopted. At the time specified for making the award the Board of State House Commissioners shall again call to their assistance experts, as hereinbefore provided, and shall proceed to examine the plans and specifications then submitted to them, under the same rules and conditions as in the case of the plans now in the possession of the State; and if on such

examination they fail to find any plan coming within the requirements of this act, they shall re-advertise and proceed in the manner hereinbefore prescribed until a suitable plan is secured.

Section 5. The board are authorized to contract for labor, material, transportation, or any distinct portion of the work. All lettings of the work shall be advertised in two newspapers of general circulation. In all contracts the interest of the State shall be protected by proper bonds. All contracts with the builders, architects, or material-men shall reserve the right of the board, for good cause shown, and of the Legislature by concurrent vote of both Houses, to amend the contract, and the board shall make no allowance for damages, only for expense incurred and for labor performed. Ten per cent. shall be reserved from payments on estimates, on work contracted, until such contract shall have been completed, inspected and accepted.

Section 6. The building shall be fire-proof so as not to require that it shall be insured. The material shall all be of the best quality, and the directions, plans and specifications of the work shall be executed by skilled and reputable architects, contractors, artists, mechanics and laborers. The board shall, so far as is just and practicable, and with due regard to the material interests of the State, make preference of Indiana material and labor.

Section 7. The board shall appoint a secretary, who shall take an oath to faithfully perform the duties of his office. He shall keep a record of the proceedings of the board, shall make a record of all contracts and obligations, shall furnish each contractor with a copy of his contract, marked "approved, by order of the board,"—— day and date, and no contract shall be valid until thus endorsed and delivered. He shall certify to all vouchers ordered by the board; shall keep a set of books so as to show the financial condition of the board; shall make yearly statements of cost of building, and a complete list of vouchers and for what purpose, and to whom paid, which reports the Governor shall transmit to the Legislature. The pay of the secretary shall not exceed fifteen hundred dollars per year.

Section 8. The board may, when they deem it necessary, employ a superintendent, who shall be qualified and give bond, as may be prescribed by the board, who shall also prescribe his duties and compensation.

Section 9. It shall not be lawful for any member of the board,

or the architect, superintendent or secretary to be directly or indirectly interested in, or to derive any profit from any contract, employment or purchase connected with the building or with the action of the board, nor shall either of the above named officers be the owner or interested in any claim against the board or the State growing out of the building of the new State House, or removing the old one, other than for their compensation for services. Any of the above named officers guilty of violating the provisions of this section, or of corruptly using his official position, shall be deemed guilty of a felony, and upon conviction shall be fined in any sum not exceeding ten thousand dollars, to which may be added imprisonment in the State prison for any term not exceeding two years.

Section 10. The architect selected for the building shall give bond in the sum of one hundred thousand dollars, conditioned that he shall faithfully discharge the duties of his office. And he shall be liable on his bond for all losses or damages that may be incurred on account of his violating any of the provisions of this act, or on account of his neglect or incapacity for the duties of his office. He shall receive such compensation as may be agreed upon in advance: *Provided*, No contract with an architect shall be made allowing more than three per cent. commission as full compensation for plans, specifications and labor.

Sections 11. There shall be assessed in the year 1877 the sum one cent upon each one hundred dollars worth of taxable property in the State, to be collected as other State taxes assessed at the same time are collected. And the year 1878 there shall be assessed and collected as above the sum of two cents upon each one hundred dollars worth of taxable property in the State, which money, when collected and paid into the State Treasury, shall be kept and known as the new State House fund. And the money raised by this tax levy is hereby appropriated to the purpose of building the new State House.

Section 12. There is hereby declared an emergency for the passage of this act, and the same shall be in force from and after its passage.

And when so amended, your committee recommend the passage of the bill.

Mr. Lehman moved the previous question.

Which was not seconded by the House.

Mr. Hauss again moved the previous question.

Which was seconded by the House and the main question ordered.

The question being, shall the report be concurred in?

The ayes and noes were demanded by Messrs. Moorman and Hauss.

Those who voted in the affirmative were Messrs. Adams, Albert, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Claypool, Collins, Compton, Craft, Dannettell, Endsley, Foster of Monroe, Girton, Gossman, Grubbs, Guthrie, Hosmer, Hubbard, Kennedy of Union, Langdon, Lanham, Lehman, Lockhart, Moorman, Morrison, McGaughey, Paige, Peelle, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Wells and Mr. Speaker—43.

Those who voted in the negative were Messrs. Ames, Ashby, Butler, Cook, Copeland, Crumpacker, Davis, Freeman, Garver, Hall, Harper, Hauss, Henderson, Highway, Johnson of Carroll, Kimmell, Koontz, Madden, Merriman, McCarty, Perigo, Reno, Stewart, Thompson of Elkhart, Viehe, Zehring and Zimmerman—27.

So the report was concurred in.

The question being, shall the bill be engrossed?

The ayes and noes were demanded by Messrs. Langdon and Viehe.

Those who voted in the affirmative were Messrs. Adams, Albert, Baxter, Branyan, Bumgarner, Cary, Carlton, Chawner, Carson, Claypool, Collins, Compton, Cook, Craft, Endsley, Foster of Monroe, Freeman, Girton, Gossman, Grubbs, Guthrie, Hosmer, Hubbard, Kennedy of Union, Lanham, Moorman, McGaughey, Paige, Peelle, Sailors, Scott, Smith, Spencer, Swayzee, Thompson of Howard, Thomson of Miami, Viehe, Zehring and Mr. Speaker—39.

Those who voted in the negative were Messrs. Ames, Ashby, Benz, Butler, Cooley, Copeland, Crumpacker, Davis, Garver, Hall, Harper, Hauss, Henderson, Highway, Johnson of Carroll, Kimmell, Koontz, Langdon, Lanham, Lockhart, Madden, Merriman, Morrison, McCarty, Perigo, Priest, Reno, Stewart, Thomas, Thompson of Elkhart, Wells, Whitehead and Zimmerman—33.

So the bill was ordered to be engrossed.

Mr. Carlton moved to make the bill the special order for to-morrow at 10 o'clock, A. M.

Which was not agreed to.

Pending the call of joint committees for reports, on motion by Mr. Copeland, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

FEBRUARY 28, 1877.

The House met with the Speaker in the chair.

On motion by Mr. Scott, the reading of the journal of yesterday's proceedings was dispensed with.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills have carefully compared Engrossed House Bill No. 491 with the original copy, and find the same correctly engrossed.

The order pending at adjournment, being reports from joint committees, was resumed and finished.

Reports from select committees were called for.

Mr. Copeland, from the select committee on State library, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred House Bill No. 310, "An act to abolish the office of State Librarian and transfer his duties to the Superintendent of Public Instruction, and provide additional compensation therefor," have examined the same carefully, and recommend it do lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Ames presented the claim of Patrick McGinn against the State.

Which was referred to the committee on claims.

Mr. Lehman, from the select committee on Joint Resolution No. 21, submitted the following report:

MR. SPEAKER:

We, your select committee on Joint Resolution No. 21, have had the same under consideration, and would recommend its passage.

The report was informally passed over.

Mr. Smith, from the special committee, submitted the following report:

MR. SPEAKER:

Your special committee, to whom was referred House Bills Nos. 143 and 476, have considered the same and report as follows:

We recommend that 476 lie on the table, and 143 be amended as follows:

1. Properly number the sections—1, 2, 3 and 4.

2. So amend that the pay of the Postmaster of the House shall be \$3.00 instead of \$4 per day, and so the pay of Pages shall be \$2.50 per day instead of \$2.00 per day, and by adding after section 2, at the bottom of page 5, the following: "The Doorkeeper of the House is hereby authorized to employ a janitor at \$4.00 per day."

And when so amended we recommend that the bill do pass.

And inasmuch as said bill has been engrossed and read twice we recommend that it be read a third time and passed at once.

Which report was concurred in, and the bill ordered to be engrossed.

The following message was received from the Senate by the Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills and resolutions, to-wit:

Engrossed Senate Bill No. 55. An act to indemnify counties against loss in certain cases, and to protect laborers, material men and others from loss by persons contracting for county buildings and work.

Engrossed Senate Bill No. 119. An act to amend section 203 of

an act entitled "An act to provide for the uniform assessment of property and the collection and return of taxes thereon," approved December 21, 1872.

Engrossed Senate Bill No. 322. An act to legalize a contract heretofore made and entered into on the 28th day of June, 1875, by and between the Board of County Commissioners of Porter county, Indiana, and Henry B. Brown, and declaring an emergency.

Engrossed Senate Bill No. 210. A bill exempting certain lands therein described from taxation for general city or town purposes.

Engrossed Senate Bill No. 52. An act to provide for giving notice of pending suits, attachments, levies and liens affecting real estate in certain cases.

Engrossed Senate Bill No. 62. An act to enable married women whose husbands are insane or of unsound mind to sell and convey real estate belonging to such married women.

Engrossed Senate Bill No. 57. An act to discourage the keeping of worthless and sheep-killing dogs, providing for the licensing and registration of dogs, and prescribing penalties for the violation of the provisions of this act by officers and others, creating a fund for the payment of damages to owners of sheep maimed or killed by dogs, repealing all conflicting laws, and declaring an emergency.

Engrossed Senate Bill No. 61. An act to amend section 3 of an act entitled "An act to render taxation for common school purposes uniform, and to provide for the education of the colored children of the State," approved May 13, 1869.

Engrossed Senate Bill No. 199. An act extending the time for the completion of railroads in all cases where townships have made or may hereafter make appropriations of money to aid any railroad company in constructing its road.

Engrossed Senate Bill No. 59. An act to authorize the county commissioners of the several counties in this State to purchase the books, stationery and other articles for the several county officers for the conduct of public business, and providing how claims against counties shall be settled and defining penalties and prescribing punishment for violations of this act by the county commissioners and by other persons therein named.

Engrossed Senate Joint Resolution No. 1. Proposing amendment to section 2 of article 2 of the Constitution.

Engrossed Senate Joint Resolution No. 2. A joint resolution proposing amendment to section 5 of article 2 of the Constitution.

Engrossed Senate Joint Resolution No. 3. A joint resolution proposing amendment to section 14 of article 2 of the Constitution.

Engrossed Senate Joint Resolution No. 4. A joint resolution proposing amendment to sections 4 and 5 of article 4 of the Constitution.

Engrossed Senate Joint Resolution No. 5. A joint resolution proposing amendment to clause 14, section 22 of article 4 of the Constitution.

Engrossed Senate Joint Resolution No. 6. A joint resolution proposing amendment to section 1 of article 7 of the Constitution.

Engrossed Senate Joint Resolution No. 7. A joint resolution proposing amendments to article 7 section 2 of the Constitution.

Engrossed Senate Joint Resolution No. 8. A joint resolution proposing amendment to section 6 article 10 of the Constitution.

Engrossed Senate Joint Resolution No. 9. A joint resolution proposing amendment to article 13 of the Constitution.

Engrossed Senate Joint Resolution No. 19. A joint resolution to amend section 29 of article 4 of the Constitution.

And the same are herewith submitted to the House of Representatives for its action thereon.

Also, that the Senate has concurred in the amendments of the House of Representatives to the following bills, to-wit :

Engrossed Senate Bill No. 7. An act legalizing certain judgments rendered without the formal service of process and sales thereon, and declaring an emergency.

Engrossed Senate Bill No. 36. An act to amend section 120 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852.

Engrossed Senate Bill No. 19. An act to amend section 8 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof and their

respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865, approved March 8, 1873.

I am also directed by the President of the Senate to inform the House of Representatives that he has signed the following act, to-wit:

Enrolled Senate Act No. 33. An act to amend section 1 of an act to amend section 22 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852, approved March 2, 1855.

Also, Enrolled Senate Joint Resolution No. 11. A joint resolution instructing our Senators and requesting our Representatives in Congress to vote and use their influence to secure the passage of a law to equalize the pensions granted to soldiers engaged in the war of 1861, who were discharged by reason of disability from wounds received or disease contracted in the service of the United States in said war, and in the line of duty, and to the widows of such soldiers as have died from such disability.

Mr. Collins, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts, to whom was referred Engrossed Senate Bill No. 98, introduced by Senator Moore, being a bill to provide for the more speedy trial of causes and to facilitate the transaction of business in courts, etc., have had the same under consideration and have directed me to report the same back to the House with the following amendments:

Substitute the word "or" for the word "and" in line 6, section 2; strike out the words "may act" in line 8, same section.

For the word "casualty" in line 5, section 3, substitute the word "casualty."

And when so amended we recommend the passage of the bill.

The report was concurred in, and the bill, as amended, ordered to a third reading on to-morrow.

By consent Mr. Lanham, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred claim of John Hedland for one clerk's desk, twelve dollars, would recommend the same be allowed and incorporated into the specific appropriation bill of the ways and means committee.

The report was concurred in, and the claim referred to the committee on ways and means.

Mr. Lanham, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred account of Spiegel, Thoms & Co., have had the same under consideration, and recommend that it be referred to the State Librarian.

Which was concurred in.

The committee on engrossed bills, to which was referred Engrossed House Bill No. 489, desire to report that they have examined the same and find it correctly engrossed.

By consent House Bill No. 500, introduced by Mr. Foster of —, was read a second time.

SENATE BILLS ON SECOND READING.

Engrossed Senate Bill No. 320 was read a second time and passed to a third reading on to-morrow.

Engrossed Senate Bill No. 296 was read a second time and ordered to a third reading on to-morrow.

The Speaker announced House bills on third reading to be in order.

Engrossed House Bill No. 90. A bill relating to the rights of married women and matters properly connected therewith.

Which was read the third time.

Mr. Kennedy of Rush moved the previous question.

Which was seconded by the House and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Chawner, Cole, Collins, Cook, Copeland, Crumpacker,

Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Lockhart, Marsh, Moorman, Morrison, McGaughey, Oglebay, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—68.

Those who voted in the negative were Messrs. Ashby, Askren, Carr, Carson, Claypool, Coffman, Compton, Cooley, Davis, Gossman, Johnson of Carroll, Madden, Mathews, Merriman, Morgan, McCarty, Paige, Perigo, Priest, Rea, Reno and Stewart—22.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills, to whom was referred Engrossed House Bills Nos. 191, 269, 364, 157, 194, 243 and 405 desire to report that they have examined the same, and find the same in all respects correctly engrossed.

By consent the Engrossed Senate amendments to House Bill No. 250 were taken up and concurred in.

By consent the committee on roads returned Senate Bill No. 177 to the House, without recommendation.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

The committee on engrossed bills report that they have compared Engrossed House Bills Nos. 322, 425 and 394 with the original copies and find the same correctly engrossed.

Engrossed House Bill No. 415. A bill to repeal section 22 of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary,

Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Cooley, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—80.

Those who voted in the negative were Messrs. Crumpacker, Gossman, Lehman, Priest, Reno and Riley—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House Bill No. 417. A bill to authorize the organization of clubs to establish libraries and reading rooms in the several counties of the State, and to authorize such clubs to erect and maintain gymnasiums, and such other entertainment as they may think proper.

Was read the third time.

By unanimous consent, Mr. Viehe moved the following amendment to the bill:

I move to amend section 1 of this bill by striking out the proviso thereof.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Butler, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hulet, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Lehman, Lockhart, Marsh, Merriman, Moorman, Morgan, Morrison, McGaughey, Peelle, Priest, Sailors, Scott,

Smith, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—74.

Those who voted in the negative were Messrs. Branyan, Freeman, Gossman, Johnson of Carroll, Mathews, McCarty, Paige, Rea, Reno, Riley and Swayzee—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House Bill No. 431. A bill to amend section 2 of an act entitled "An act defining certain misdemeanors, prescribing punishment therefor," approved December 2, 1865.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Baxter, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Coffman, Collins, Compton, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hubbard, Hulet, Johnson of Carroll, Johnston of Dearborn, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—75.

Those who voted in the negative were Messrs. Ashby, Bumgarner, Claypool, Cook, Davis, Freeman, Kimmell, McCarty and Spencer—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House Bill No. 449. A bill in regard to sales on execution, and in certain cases subrogating the purchase at such sales to the rights of the judgment and execution plaintiff.

Was read the third time.

By unanimous consent, Mr. Viehe made the following amendment to the bill:

I move to amend the proviso of this bill by inserting after the word "sheriffs," the words "or constable."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryau, Zehring, Zimmerman and Mr. Speaker—91.

Mr. Priest voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

By consent the report of the committee on ways and means on Joint Resolution No. 2, passed over informally last night, was taken up and concurred in and the joint resolution laid upon the table.

Engrossed House Bill No. 47. A bill to provide for the construction of partition fences along the line of railroads, and keeping the same in repair.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Askren, Austin, Baxter, Branyan, Carlton, Carr, Carson, Chawner, Cole, Collins, Conley, Cook, Cooley, Dannettell, Elwell, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harper, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet,

Kennedy of Rush, Kennedy of Union, Langdon, Lanham, Lehman, Lockhart, Marsh, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Priest, Rea, Reno, Riley, Scott, Smith, Swayzee, Thompson of Howard, Thomson of Miami, Warrum, Whitehead and Zehring—57.

Those who voted in the negative were Messrs. Albert, Ashby, Butler, Coffman, Compton, Craft, Crumpacker, Davis, Gossman, Harris, Hatfield, Johnson of Carroll, Johnson of Dearborn, Kimmell, Koontz, Madden, Mathews, Merriman, Moorman, McCarty, Perigo, Stewart, Thomas, Thompson of Elkhart, Warrum, Yaryan, Zimmerman and Mr. Speaker—28.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Cole called up Mr. Scott's motion, to reconsider the vote non-concurring in the report from the committee on corporations on House Bill No. 412.

Mr. Branyan moved to lay the motion to reconsider upon the table.

The ayes and noes were demanded by Messrs. Cole and Endsley.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Branyan, Bumgarner, Carlton, Coffman, Conley, Crumpacker, Davis, Fromm, Gossman, Harris, Hatfield, Hauss, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kimmell, Leeper, Lehman, Madden, Marsh, Mathews, McCarty, Perigo, Reno, Smith, Stewart, Swayzee, Thompson of Elkhart, Yaryan and Zehring—38.

Those who voted in the negative were Messrs. Adams, Baxter, Butler, Cary, Carr, Carson, Chawner, Cole, Collins, Compton, Cook, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Henderson, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Lockhart, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Priest, Rea, Riley, Sailors, Scott, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zimmerman and Mr. Speaker—51.

So the motion to lay upon the table did not prevail.

Mr. Lanham moved the previous question, which was seconded, and the main question ordered, being the motion to reconsider.

The motion to reconsider was agreed to.

The report of the committee was concurred in, and the bill ordered to be engrossed.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have carefully compared House Bills Nos. 399 and 450 with the original copies, and find the same correctly engrossed.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bills, to wit :

Engrossed Senate Bill No. 65. An act for the organization of camp-meeting associations, and providing for the government and management thereof.

Engrossed Senate Bill No. 89. An act to prohibit the sale of spiritous, vinous, and malt and other intoxicating liquors, on Sunday or upon any legal holiday, or upon the day of any State, county, township, or municipal election, and to prohibit the sale of such liquors on any of said days by any druggist or druggists' clerks, except as in cases therein provided, declaring the violation thereof a misdemeanor, and prescribing the penalty therefor.

Engrossed Senate Bill No. 93. An act to establish a State Board of Health, to provide a superintendent of vital statistics, prescribe certain duties of local boards, etc.

Engrossed Senate Bill No. 323. An act to fix the times of holding Circuit Courts in the Fourth Judicial Circuit, and to repeal all laws in conflict therewith, and declaring an emergency.

And the same are herewith submitted to the House of Representatives for its action thereon.

Engrossed House Bill No. 342. A bill to amend section 43 of an act entitled "An act defining felonies, and prescribing punishment therefor," approved January 10, 1852.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Lockhart, Madden, Marsh, Mathews, Meriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker.—86.

Mr. Freeman voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have compared Engrossed House Bill No. 488 with the original bill and do find it correctly engrossed.

By consent, the order of business was suspended.

Mr. Yaryan, from the committee on ways and means, introduced House Bill No. 550. A bill making appropriations for the expenses of the State government and its institutions, directing the objects to which such appropriations shall be applied, requiring accounts of receipts and expenditures to be kept and reported by the fiscal years of the State, and repealing inconsistent laws.

Which was read the first time, and on motion by Mr. Compton, one hundred and fifty copies ordered printed.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee to whom was referred House Bill No. 490, have carefully compared the same with the original and find the same correctly engrossed.

AFTERNOON SESSION,

FEBRUARY 28, 1877.

The House met with the Speaker in the chair.

By consent Mr. Yaryan, from the committee on ways and means, introduced House Bill No. 551. A bill to levy an annual tax for the purpose of raising revenue.

Was read a first time.

Mr. Overmyer moved that the constitutional rule be suspended and the bill read a second time by title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Cooley, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Harper, Hatfield, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdan, Lanham, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—81.

No member voting in the negative.

So the constitutional rule was suspended.

The bill was read the second time by title.

Mr. Overmyer moved that House Bill No. 550 be recalled from the printer.

Mr. Compton moved to lay the motion on the table.

The ayes and noes being demanded by Messrs. Overmyer and Compton.

Those who voted in the affirmative were Messrs. Askren, Austin, Carson, Claypool, Coffman, Compton, Cooley, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Hatfield, Hulet, Johnson of Carroll, Johnson of Dearborn, Koontz, Langdon, McCarty, McGaughey, Priest, Rea, Stewart, Wells and Whitehead—29.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Baxter, Benz, Branyan, Bumgarner, Cary, Carr, Chawner, Collins, Conley, Cook, Craft, Crumpacker, Elwell, Freeman, Fromm, Guthrie, Hall, Harris, Harper, Hauss, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thompson of Miami, Viehe, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—58.

So the motion to lay on the table did not prevail.

Mr. Scott moved the previous question.

Which was seconded by the House and the main question ordered, being upon the motion to recall the bill from the printer.

The ayes and noes were demanded by Messrs. Priest and Compton.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Branyan, Bumgarner, Butler, Cary, Carr, Chawner, Claypool, Collins, Cook, Copeland, Craft, Crumpacker, Elwell, Freeman, Fromm, Hall, Harris, Harper, Highway, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Lehman, Lockhart, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Yaryan, Zehring, Zimmerman and Mr. Speaker—50.

Those who voted in the negative were Messrs. Ashby, Askren, Austin, Baxter, Benz, Carlton, Carson, Cole, Compton, Conley, Cooley, Dannettell, Davis, Endsley, Foster of Allen, Garver, Girton, Gossman, Grubbs, Guthrie, Hatfield, Hauss, Henderson, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Koontz, Langdon, Leeper, Madden, Marsh, Mathews, McCarty, Priest, Rea, Reno, Sailors, Stewart, Thompson of Howard, Wells and Whitehead.—42.

So the motion to recall the bill from the printer prevailed.

Mr. Crumpacker presented the claim of A. Freeman against the State.

Which was referred, without reading, to the committee on claims.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills have carefully compared

Engrossed House Bill No. 344 with the original copy and find the same correctly engrossed.

Engrossed House Bill No. 350. A bill to establish a Superior Court in the county of Vanderburgh, defining its jurisdiction, providing for the election and compensation of the judge thereof; to abolish the Criminal Court of said county, and transferring its business to the Circuit Court thereof.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby Askren, Austin, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Johnson of Carroll, Kennedy of Rush, Langdon, Lanham, Leeper, Lehman, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—70.

Those who voted in the negative were Messrs. Baxter, Claypool, Garver, Harris, Hubbard, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, McCarty, Sailors, Scott, Smith, Stewart, Swayzee and Thompson of Elkhart—17.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The committee on engrossed bills, submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills desire to report that they have examined Engrossed House Bill No. 458, and find the same correctly engrossed.

Mr. Viehe moved that the constitutional rule be suspended and House Bill No. 550, a bill making appropriations for the expenses of the State government and its institutions, directing the objects to which such appropriations shall be applied, requiring accounts of

receipts and expenditures to be kept and reported by the fiscal years of the State, and repealing inconsistent laws, be read a second time by title.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—89.

No member voting in the negative.

So the constitutional rule was suspended, the bill was read a second time by title.

On motion by Mr. Viehe, the House went into committee of the whole House with Mr. Collins in the chair, for the consideration of House Bills Nos. 550 and 551.

After some time spent in consideration of the bills, the committee rose and through its chairman, made the following report:

MR. SPEAKER:

The committee of the whole House has been in session, has had under consideration House Bill No. 550, and without coming to any conclusion on said bill, the committee rose, and directed me to ask leave to sit again at 9 o'clock to-morrow morning for further consideration of said bill.

The report was concurred in.

Pending House bills on third reading, on motion by Mr. Lanham, the House adjourned to meet at 7:30 P. M.

NIGHT SESSION.

WEDNESDAY, February 28, 1877.

The House met with the Speaker in the chair.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills, to whom was referred Engrossed House Bill No. 421, desire to report that they have examined the same and find it correctly engrossed.

Mr. Peelle, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred Senate Bill No. 201, being an act entitled "An act to establish a Superior Court in Allen county, defining its jurisdiction, providing for the appointment, election and compensation of the judge thereof," and other matters connected therewith, respectfully report that they have had the same under consideration, and the committee have directed me to report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill ordered to a third reading on to-morrow.

Mr. Peelle, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred Engrossed Senate Bill No. 241, being a bill to amend sections 1 and 13 of an act entitled "An act to establish Superior Courts, defining their jurisdiction and approved February 15, 1871, and supplemental thereto," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same do pass.

The report was concurred in, and the bill ordered to a third reading on to-morrow.

Mr. Freeman offered the following amendment to the report of the committee on reformatory institutions :

Amend report of committee on reformatory institutions by

inserting in House of Refuge report "twenty-five hundred dollars for the purpose of building a hospital," instead of "for drainage."

Which was concurred in.

Mr. Viehe, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred Senate Bill No. 24, being a bill to amend section 207 of the Code, have instructed me to report the same back, with the following recommendations:

1. Amend the bill by striking out all after the enacting words, and before the words "be and the same is hereby," and insert in lieu thereof the words "that said first section."

And when so amended the bill do pass.

The report was concurred in, the amendments ordered to be engrossed, and the bill ordered to a third reading on to-morrow.

House Bill No. 502, introduced by Mr. Little, was read a second time and referred to the committee on cities and towns.

Mr. Lanham, from the committee on engrossed bills, submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills have compared Engrossed House Bill No. 376 with the original copy and find the same correctly engrossed. Your committee would, however, suggest that the following sentence be stricken out from section 1: "But such board of commissioners shall designate, by definite boundaries, election precincts in the county," such sentence being redundant.

Mr. Viehe, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred Senate Bill No. 20, being for the organization of a Superior Court in Cass county, have had the same under consideration, and have instructed me to report it back, with the recommendation that it do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Lanham, from the committee on elections, submitted the following report:

MR. SPEAKER :

A majority of your committee on elections to whom was referred Senate Bill No. 17, a bill to provide for township elections, and repealing laws in conflict therewith, have had the same under consideration, and directed me to report the same back to the House and recommend that it do lie on the table.

Mr. Freeman, from the minority of the committee on elections, submitted the following report:

MR. SPEAKER :

A minority of your committee on elections to whom was referred Senate Bill No. 17, a bill to provide for township elections, and repealing laws in conflict therewith, differing with the majority of said committee, who report adversely on said bill, recommend that it do pass.

Consideration whereof was informally passed over.

The committee on engrossed bills submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills, to whom was referred Engrossed House Bill No. 444, would report that they have carefully compared the same with the original copy and find it correctly engrossed.

The committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills have examined enrolled Joint Resolution No. 14, House of Representatives, and have compared the same with the Engrossed Joint Resolution and find the same correctly enrolled.

SENATE BILLS ON FIRST READING.

Engrossed Senate Bill No. 322. A bill to legalize a contract heretofore made and entered into on the 28th day of June, 1875, by and between the Board of County Commissioners of Porter county, Indiana, and Henry B. Brown, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 323. A bill to fix the time of holding Circuit Courts in the Fourth Judicial Circuit, and to repeal all laws in conflict with this act, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 199. A bill extending the time for the completion of railroads in all cases where townships have made or may hereafter make an appropriation of money to aid any railroad company in constructing its road.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 210. A bill exempting certain lands therein described from taxation for general, city or town purposes.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 119. A bill to amend section 203 of an act entitled "An act to provide for a uniform assessment and for the collection and return of taxes thereon," approved December 21, 1872.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 93. A bill to establish a State board of health, provide a superintendent of vital statistics, prescribing certain duties of local boards, etc.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 55. An act entitled an act to indemnify counties against loss in certain cases, and to protect laborers, material-men and others from loss by persons contracting for county buildings and work.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 65. An act for the organization of camp-meeting associations, and providing for the government and management thereof.

Which was read the first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 61. A bill to amend section 3 of an act entitled "An act to render taxation for common school purposes

uniform, and to provide for the education of the colored children of the State," approved May 13, 1869.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 59. A bill to authorize the county commissioners of the several counties of this State to purchase the books, stationery and other articles for the several county officers for the conduct of public business, and providing how claims against counties shall be settled, and defining penalties and prescribing punishment for violations of this act by the county commissioners, and by other persons therein named.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 62. An act to enable married women whose husbands are insane or of unsound mind to sell and convey real estate belonging to such married women.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 89. A bill to prohibit the sale of spirituous, vinous, malt and other intoxicating liquors on Sunday or upon the fourth day of July, the first day of January, the twenty-fifth day of December, commonly called Christmas, or Thanksgiving day, or upon the day of any State, county, township, primary or municipal election, and to prohibit the sale of such liquors on any of said days by any druggist or druggist's clerk, except as in cases therein provided, declaring the violation thereof a misdemeanor, and prescribing the penalty therefor.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 57. A bill to discourage the keeping of worthless and sheep-killing dogs, providing for the licensing and registration of dogs, and prescribing penalties for the violation of the provisions of this act by officers and others, creating a fund for the payment of damages to owners of sheep maimed or killed by dogs, repealing all conflicting laws and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 52. An act to provide for giving notices of pending suits, attachments, levies and liens affecting real estate in certain cases.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Joint Resolution No. 19. A joint resolution to amend section 29 of article 4 of the Constitution of the State of Indiana.

Which was read and referred to the committee on judiciary.

Engrossed Senate Joint Resolution No. 9. A joint resolution proposing an amendment of the Constitution of the State of Indiana.

Which was read and referred to the committee on judiciary.

Engrossed Senate Joint Resolution No. 1. A joint resolution amending section 2 of article 2 of the constitution, and prescribing the qualification of voters.

Was read and referred to the committee on elections.

Engrossed Senate Joint Resolution No. 2. A joint resolution proposing amendment to section 5 of article 2 of the Constitution.

Was read and referred to the committee on elections.

Engrossed Senate Joint Resolution No. 3. A joint resolution proposing amendment to section 14 of article 2 of the Constitution.

Was read and referred to the committee on elections.

Engrossed Senate Joint Resolution No. 4. A joint resolution proposing amendments to sections 4 and 5 of article 4 of the Constitution.

Was read and referred to the committee on judiciary.

Engrossed Senate Joint Resolution No. 5. A joint resolution proposing amendment to clause 14 of section 22 of article 4 of the Constitution.

Was read and referred to the committee on judiciary.

Engrossed Senate Joint Resolution No. 6. A joint resolution proposing amendments to section 10 of article 7 of the Constitution.

Was read and referred to the committee on judiciary.

Engrossed Senate Joint Resolution No. 7. A joint resolution proposing amendments to article 7 of section 2 of the Constitution.

Was read and referred to the committee on judiciary.

Engrossed Senate Joint Resolution No. 8. A joint resolution proposing amendment to section 6 of article 10 of the Constitution of the State of Indiana.

Was read and referred to the committee on judiciary.

Consideration of the minority report on Senate Bill No. 17 was resumed.

Mr. Grubbs moved the previous question.

Which was seconded by the House and the main question ordered, being upon the adoption of the minority report.

The report was adopted, and the bill passed to a third reading.

By consent House Bill No. 499, introduced by Mr. Ashby, was read a second time and ordered to be engrossed.

By consent, Mr. Langdon submitted the following report :

MR. SPEAKER:

Your committee on education submit the following report in regard to the various educational institutions of the State. They were cordially received by the faculties of the various institutions, and every facility given them for the inspection of the buildings and for making a thorough examination of all the workings of the different departments. The buildings of all the institutions are in good repair, and are well taken care of by the janitors in charge. The different faculties were engaged with the work in their several departments, and are harmonious in all their relations to each other and the students under their charge. The discipline seemed to be good, and is especially shown in the good condition of the buildings. No marks of penknives or lead pencils mar the walls or seats, and no tobacco stains on the recitation rooms or other places about the buildings.

PURDUE UNIVERSITY.

This institution is found with some good buildings, such as dormitories for the students, a boarding house and laboratory, but deficient in a building for college recitations and chapel service. There is an excellent foundation ready for the brick work, and nearly enough brick on the ground for the walls, and we recommend the appropriation of thirty-five thousand dollars for finishing and furnishing the main building. The heating and lighting apparatus are suitable for the building, and well fitted for the purpose it is designed for. There is some good apparatus in the chemical department, and also in the department of natural science, but we recommend an appropriation of five thousand dollars for the purpose of more apparatus.

The library of the University should have an appropriation of two thousand dollars to be used in the purchase of books, to be used by both faculty and students.

The farm of 186 acres is in good condition and seems to be well taken care of. It has not as yet yielded any profits, but its managers hope to make it self-sustaining. To properly carry out the grant of Congress in reference to agricultural colleges, there should be one thousand dollars appropriated for the purchase of stock. Your committee would recommend that great care should be taken by the purchasing agent of the Board of Trustees, to procure the best breeds of stock the country affords. The agricultural community are interested in having at their State College such an exhibition of stock that they can be assured that when they purchase stock, that they have been approved by the authorities of the college, and that they have the best breeds that can be purchased anywhere. We recommend that one thousand dollars be appropriated for experiments on the farm in reference to soil and crops of all kinds. We recommend the appropriation of five thousand dollars for payment of debt incurred in buildings.

We recommend that ten thousand dollars be appropriated for current expenses. We recommend that four thousand dollars be appropriated for repairs. We recommend that one thousand dollars be expended for the improvement of grounds and horticulture.

STATE NORMAL SCHOOL.

Your committee were well pleased with the manner of conducting this institution. We find that there is need for an appropriation of ten thousand dollars for furnishing apparatus, filling of experiment room and furnishing materials; the apparatus now in use is of a premature kind, and formed by the professors in the institution from such materials as they can purchase in the city of Terre Haute. The State has never made an appropriation to this institution for the purchase of apparatus. The library now owned by the institution is the gift of Chauncey Rose, Esq., and no additions have been made to it for a number of years, and we recommend that two thousand dollars be appropriated for the purchase of books for the library, and be used by the students and professors and filling up the reading room. The grounds are exposed to stock of all kinds and are a disgrace to the State, and the request of the trustees for an appropriation of three thousand dollars to build a suitable fence should be granted. The fund for the purchase of coal, janitor's salary and repairs should be increased to twenty-six hundred dollars per annum. The apparatus for heating the building is almost a failure. During the past winter parts of the furnace

entirely failed to work, and the trustees were compelled to heat portions of the building by putting in stoves in many of the recitation rooms. We recommend that as the furnace now in use can not be repaired at a reasonable cost, the board to entirely abandon it. Your committee would recommend to the Trustees of the Normal School to visit Indiana Asbury University for the purpose of examining the furnace there in use. A part of this committee visited that institution and were well pleased with its management. Their new building is nearly completed, and is an honor to the denomination that erected it. We especially commend the heating apparatus there used. In the coldest weather of this winter it heated the entire building to the satisfaction of the faculty and trustees of the institution. We recommend that four thousand five hundred and forty-three dollars and ninety-five cents for payment of the indebtedness on the State Normal School as reported by the trustees in their annual report.

STATE UNIVERSITY.

We found the faculty and students of this institution alive to the work they are engaged in. The buildings and furniture are in good condition, excepting the old college building, which needs a new roof, and we recommend the sum of one thousand dollars for that purpose, and for other repairs to old building. The grounds are well taken care of and have a good fence of wood enclosing the entire college campus. The library of the institution is mostly the gift of a citizen of Philadelphia and a citizen of Fort Wayne, and for them there should be an appropriation of two thousand dollars to purchase works of recent date for the library, and apparatus for departments of chemistry and natural science. No faculty or student can accomplish much in their studies without the best of tools that can be furnished them. We recommend that there be appropriated the sum of five thousand five hundred dollars for the payment of the balance due on the Owen cabinet, and thus relieve the University of its indebtedness, and make the appropriations now given her fill its mission.

Which report was laid upon the table.

By consent, Mr. Yaryan introduced House Bill No. 552. A bill authorizing and empowering the Governor, Auditor and Treasurer of the State to pay the temporary loan debt heretofore contracted, and to make temporary loans for that purpose.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed House Bill No. 115. A bill to repeal "An act to ascertain the boundary line between the States of Indiana and Kentucky above and near Evansville, and making the same evidence in any dispute, and declaring an emergency," and to declare void the survey and other acts of commissioners provided for by said act.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hauss, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanhams, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Meriman, Moorman, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Smith, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker.—78.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kennedy of Rush moved that House Bill No. 391 be taken from the table.

Which was not agreed to.

Engrossed House Bill No. 442. A bill to fix the times of holding courts in the Tenth Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, repealing all laws in conflict herewith and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary,

Carlton, Carr, Claypool, Coffman, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hauss, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Lehman; Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House Bill No. 418. A bill to amend sections 308 and 313 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hauss, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—77.

Those who voted in the negative were Messrs. Askren, Austin, Branyan, Davis, Paige, Stewart and Yaryan—7.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

Engrossed House Bill No. 381. A bill supplemental to an act regulating the granting of divorces, nullification of marriages and decrees, and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency, approved March 10, 1873, legalizing certain marriages, declaring their issue to be legitimate, and declaring an emergency for the immediate taking effect of this act.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Baxter, Butler, Carson, Carr, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Smith, Thomas, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—68.

Those who voted in the negative were Messrs. Austin, Cary, Chawner, Claypool, Gossman, Harris, Hubbard, Hulet, Scott, Stewart and Thompson of Elkhart—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House Bill No. 363. A bill to amend section 31 of an act entitled "An act providing for the organization of county boards and prescribing some of their powers and duties," approved June 17, 1852, so as to extend the right of appeal to all decisions made by the board of county commissioners, except when prohibited by law, and declaring an emergency.

Was read the third time.

Mr. Lehman moved the previous question.

Which was seconded by the House, and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Askren, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Coffman, Crumpacker, Dannettell, Foster of Allen, Fromm, Guthrie, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Lockhart, Marsh, Merriman, Moorman, Morgan, Morrison, Rea, Riley, Sailors, Smith, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zehring and Zimmerman—40.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Cole, Collins, Compton, Conley, Cook, Cooley, Craft, Davis, Elwell, Endsley, Garver, Girton, Gossman, Grubbs, Harris, Hauss, Henderson, Highway, Hosmer, Johnson of Carroll, Johnson of Dearborn, Koontz, Lehman, Mathews, McCarty, McGaughey, Oglebay, Paige, Pelle, Perigo, Reno, Scott, Stewart, Viehe, Warrum, Yaryan and Mr. Speaker—40.

So the bill was lost.

The joint committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills have examined Enrolled Senate Bills Nos. 19, 36 and 7, and find the same correctly enrolled.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed House Bill No. 150. A bill to exempt benefits, claims and interest of the wives, children and dependents of members of Masonic, Odd Fellows and other charitable societies, and exempting certain policies of life insurance from the claims of creditors, and designating the place where such corporations shall be sued and providing for changing the names of payees or beneficiaries as may be agreed upon by the members of such societies or incorporations, and the societies or incorporations of which they are members.

Engrossed House Bill No. 430. A bill to legalize a certain ordinance of the Common Council of the city of Indianapolis,

therein mentioned, designated as an ordinance to 51, and passed October 16, 1876, as well as the acceptance thereof by the Union Railroad Transfer and Stock Yard Company, and to validate the contract embraced in said ordinance, and in the acceptance thereof.

And the same are herewith returned to the House.

Mr. Cole moved to take up House Bill No. 322.

Which was agreed to.

House Bill No. 322. A bill to authorize and provide for the erection of a new State House, and for matters incidental thereto.

Was taken up and partially read the third time, whereupon, pending the further reading of the bill, on motion by Mr. Hauss, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

MARCH 1, 1877.

The House met, with the Speaker in the chair.

On motion by Mr. Paige, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Reno entered a motion to reconsider the motion by which House Bill No. 363 was lost last night.

The Speaker announced that Senate bills on second reading would be taken up.

SENATE BILLS ON SECOND READING.

Engrossed Senate Bill No. 65 was read a second time and referred to the committee on rights and privileges.

Engrossed Senate Bill No. 119 was read a second time and referred to the committee on ways and means.

Engrossed Senate Bill No. 93 was read a second time and referred to the committee on rights and privileges.

Engrossed Senate Bill No. 210 was read a second time and referred to the committee on ways and means.

Engrossed Senate Bill No. 52 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 61 was read a second time and referred to the committee on education.

Engrossed Senate Bill No. 55 was read a second time and referred to the committee on county and township business.

Engrossed Senate Bill No. 59 was read a second time and referred to the committee on county and township business.

Engrossed Senate Bill No. 199 was read a second time and referred to the committee on railroads.

Engrossed Senate Bill No. 57 was read a second time and referred to the committee on rights and privileges.

Engrossed Senate Bill No. 62 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 322 was read a second time and referred to the committee on county and township business.

Engrossed Senate Bill No. 89 was read a second time and referred to the committee on temperance.

Engrossed Senate Bill No. 323 was read a second time and referred to the committee on organization of courts.

On Mr. Oglebay's motion House Bill No. 535, introduced by Mr. Oglebay, was read a second time and ordered to be engrossed.

On Mr. Carr's motion House Bill No. 548, introduced by Mr. Carr, was read a second time and ordered to be engrossed.

On Mr. Yaryan's motion House Bill No. 475 was taken from the table and ordered to be engrossed.

The committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills have compared Engrossed House Bills Nos. 360, 485, 35 and 160 with the original copies and find the same correctly engrossed.

In accordance with the order of the House made yesterday, the House went into committee of the whole, with Mr. Collins in the chair, for the consideration of House Bills Nos. 550 and 551.

The Speaker announced that he had signed Enrolled Act of the House No. 420, and House Joint Resolution No. 14.

After some time spent in consideration of the bill the committee rose, and through its chairman made the following report :

MR. SPEAKER :

The committee of the whole House has been in session, has had under consideration House Bills Nos. 550 and 551, and have directed me to ask leave to sit again at half past two o'clock to-day.

Which was concurred in.

The joint committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills, having carefully compared Enrolled Act No. 250, House of Representatives, with the engrossed bill, report that the same is correctly enrolled.

The joint committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills, having carefully compared Enrolled Act No. 150, House of Representatives, with the engrossed bill, respectfully report that we find the same to be correctly enrolled.

The Speaker announced that he had signed Enrolled Acts of the House Nos. 150 and 250.

On motion by Mr. Carlton, the House adjourned until half past one o'clock.

AFTERNOON SESSION.

THURSDAY, March 1, 1871.

The House met, with the Speaker in the chair.

By consent, Mr. Peelle, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee to whom was referred Engrossed Senate Bill No. 323, entitled "An act to fix the time of holding circuit courts in the Fourth Indiana Circuit, and to repeal all laws in conflict with this act," and declaring an emergency, have had the same under

consideration, and the committee have directed me to report the same back to the House with the recommendation that the same do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Adams presented the claim of the Indianapolis Journal Company against the State for printing.

Which was referred to the committee on claims, without reading.

The committee on engrossed bills, submitted the following report :

MR. SPEAKER :

Your committee on engrossed bills, to whom was referred House Bill No. 434, have carefully compared the same with the original, and find the same properly engrossed.

The joint committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills respectfully report that we have delivered to the Governor for his signature, on the 11th day of March, 1877, Enrolled Joint Resolution No. 14, House of Representatives; also, Enrolled Act No. 430, House of Representatives; also, Enrolled Act No 250, House of Representatives; also, Enrolled Act No. 150, House of Representatives.

The committee on engrossed bills submitted the following report:

MR. SPEAKER :

Your committee on engrossed bills to whom was referred House Bill No. 155, have carefully compared the same with the original, and find it correctly engrossed.

Mr. Branyan, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred Senate Bill No. 85, entitled a bill to amend section 250 of an act entitled "An act to revise, simplify and abridge the rules of practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, etc.," have had the same under consideration and have directed me to report the same back to the House with the recommendation that the same do pass.

Which report was concurred in, and the bill passed to a third reading.

Mr. Carlton, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary to whom was referred Engrossed Senate Bill No. 237, entitled "An act providing for the punishment of persons in the possession of stolen property in this State, having stolen the same in another State or territory of the United States, or any foreign country," have had the same under consideration, and directed me to report the same back to the House with the recommendation that it do pass.

The report of the committee was concurred in, and the bill ordered to a third reading on to-morrow.

The joint committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills have this day presented to the Governor for his signature, Enrolled Senate Bills Nos. 7, 19 and 36.

Mr. Craft presented the claim of Charles C. Campbell against the State for money expended, as sheriff of Marion county, in the arrest and conviction of one Henry Dillman.

Which was referred, without reading, to the committee on claims.

The order of business, being House bills on third reading, was resumed.

The consideration of House Bill No. 322, pending at adjournment last night, was resumed, and the third reading of the bill was concluded.

Mr. Viehe moved the previous question.

Which was seconded, and the main question ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Austin, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Cole, Collins, Compton, Conley, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Foster of Allen, Fromm, Girton, Gossman, Grubbs, Guthrie, Harris, Highway, Hosmer, Hubbard, Kennedy of Rush, Kennedy of Union, Langdon, Lehman, Lockhart, Moorman, Morgan, McGaughey, Paige, Peelle, Riley, Sailors, Scott,

Smith, Spencer, Thomas, Thompson of Howard, Thomson of Miami and Mr. Speaker—47.

Those who voted in the negative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Butler, Carr, Coffman, Cook, Cooley, Copeland, Crumpacker, Davis, Freeman, Garver, Hall, Harper, Hauss, Hulet, Johnson of Carroll, Johnson of Dearborn, Kimmell, Koontz, Lanham, Madden, Marsh, Mathews, Merriman, Morrison, McCarty, Oglebay, Perigo, Rea, Reno, Stewart, Thompson of Elkhart, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring and Zimmerman—44.

So the bill failed for want of a constitutional majority.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives for the signature of the Speaker thereof, the following acts, to-wit :

Enrolled Act No. 7, Senate of Indiana. An act legalizing certain judgments rendered without the formal service of process and sales thereon, and declaring an emergency.

Enrolled Act No. 19, Senate of Indiana. An act to amend section 8 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,' approved March 6, 1865," approved March 8, 1873.

Enrolled Act No. 36, Senate of Indiana. An act to amend section 120 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms, in criminal actions in the courts of this State," approved June 17, 1852.

And the same are herewith submitted.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed the following bills to-wit :

Engrossed Senate Bill No. 32. An act to amend section 455 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this

State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852, and declaring an emergency.

Engrossed Senate Bill No. 99. An act to amend section 57 of an act entitled "An act for the incorporation of towns, providing for the election of officers, defining their duties, and declaring an emergency."

Engrossed Senate Bill No. 203. An act to require officers of corporations formed to construct gravel, plank or macadamized roads on abandoned roads to make reports to the board of commissioners in the county in which such roads are situate, to regulate tolls on such roads, and to provide that the surplus earnings of such roads shall be expended in the improvement and repairs of such roads.

Engrossed Senate Bill No. 321. An act providing for the current expenses of the Indiana Reformatory Institution for Women and Girls, and declaring an emergency.

Engrossed Senate Bill No. 140. An act to fix the time of holding the courts in the Twelfth Judicial District.

Engrossed Senate Bill No. 108. An act to amend section 3 of an act entitled "An act to amend sections 65 and 66 of an act providing for the settlement of decedent's estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852, and supplemental thereto, approved February 20, 1855.

Engrossed Senate Bill No. 188. An act providing for the appointment and qualification of county superintendents, repealing all acts and parts of acts in conflict herewith, and declaring an emergency.

And the same are herewith submitted to the House of Representatives for its action thereon.

Engrossed House Bill No. 370. A bill to amend section 1 of an act approved February 2, 1855, entitled "An act to amend 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of

justice in a uniform mode of pleading and practice without distinction between law and equity,'” approved June 18, 1852.

Engrossed House Bill No. 471. A bill to amend an act approved February 24, 1869, entitled an act to amend sections 1 and 3 of an act entitled “An act to provide for the relocation of county seats, and for the erection of public buildings in counties in case of such relocation,” approved March 2, 1855, and to amend section 1 of an act amendatory of said act, approved December 18, 1865, and to provide for the appointment of commissioners.

Engrossed House Bill No. 256. A bill to amend section 1 of an act entitled “An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agent thereof and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act,” approved December 21, 1865, and adding supplemental sections thereto.

Engrossed House Bill No. 51. A bill authorizing the school trustees of a city or incorporated town, to pay over to such city or town surplus special school revenue for the payment of indebtedness created for school building purposes, and legalizing acts where such surplus has been so appropriated.

Engrossed House Bill No. 50. A bill authorizing cities and incorporated towns to change and reform their boundaries so as to exclude therefrom suburban lots or tracts of lands not laid out in lots.

Engrossed House Bill No. 181. A bill to confirm and legalize the corporate name and organization of the Rose Polytechnic Institute.

Engrossed House Bill No. 420. A bill to amend section 4 of an act entitled “An act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which said harbors may run, and to assess damages and benefits against adjoining owners,” approved March 9, 1875.

And the same are herewith returned to the House.

Also, Engrossed House Bill No. 10. A bill for an act to fix the time of holding circuit courts in the Eleventh Judicial Circuit, with the following amendments, to-wit :

Strike out the word “fourth” in line 9 of section 1, and insert in lieu thereof the word “third.”

Strike out the words "first Monday of September" in lines 10 and 11 of section 1, and insert in lieu thereof the words "fourth Monday of August."

Strike out all of section 4 and insert the following :

WHEREAS, An emergency exists for the immediate taking effect of this act, the same shall therefore take effect and be in force from and after the 20th day of April, 1877.

And the same is herewith submitted to the House for its concurrence therein.

I am also instructed by the President of the Senate to inform the House of Representatives that he has signed the following acts, to-wit :

Enrolled Act No. 150, House of Representatives. An act to exempt benefits, claims and interest of the wives, children and dependents of members of Masonic, Odd Fellows and other charitable societies, and exempting certain policies of life insurance from the claims of creditors and designating the place where such corporations shall be sued, and providing for changing the names of payees or beneficiaries as may be agreed upon by the members of such societies or incorporations, and the societies or incorporations of which they are members.

Enrolled Act No. 250, House of Representatives. An act repealing parts of an act entitled "An act repealing an act entitled 'an act to amend sections 3 and 14 of an act entitled 'an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free,' approved March 6, 1865, approved March 9, 1867, and all the acts entitled 'an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject,' approved March 11, 1867, approved March 14, 1869, and declaring an emergency, approved March 13, 1875, which act so entitled repealed an act entitled 'an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject,' approved May 14, 1869, and to revise the said act approved May 14, 1869, so repealed, providing that plank, macadamized turnpike and gravel road companies organized after the 13th day of

March, 1875, shall not have the benefits of the said act so revised, declaring assessments upon lands for plank, macadamized and gravel road purposes in certain cases, to be valid and binding, and providing for the collection and application of the same, and declaring an emergency."

Enrolled Act No. 430, House of Representatives. An act to legalize a certain ordinance of the Common Council of the city of Indianapolis therein mentioned, designated as an Ordinance No. 51, and passed October 16, 1876, as well as the acceptance thereof by "the Union Railroad Transfer and Stock Yard Company," and to validate the contract embraced in said ordinance and in the acceptance thereof.

Enrolled Joint Resolution No. 14, House of Representatives. A joint resolution repealing a joint resolution entitled a joint resolution requesting the Governor to appoint a suitable person to revise and correct the swamp land books of the State of Indiana, in the office of the Auditor of State, approved March 6, 1865.

And the same are herewith returned to the House of Representatives.

The committee on engrossed bills submitted the following report:

MR. SPEAKER :

Your committee on enrolled bills having compared Enrolled Act No. 430, House of Representatives, with the engrossed bill, respectfully report that the same is correctly enrolled.

Engrossed House Bill No. 3. A bill regulating the number of petit jurors in trials before the courts of this State, repealing all laws in conflict therewith, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Benz, Bumgarner, Butler, Cary, Chawner, Coffman, Collins, Compton, Cook, Foster of Monroe, Freeman, Garver, Hall, Harris, Harper, Hatfield, Highway, Hubbard, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Leeper, Marsh, Mathews, Merriman, Morgan, Morrison, Oglebay, Riley, Sailors, Scott, Smith, Stewart, Thomas, Thompson of Elkhart, Thomson of Miami, Wells and Zimmerman—45.

Those who voted in the negative were Messrs. Albert, Baxter, Carlton, Carr, Carson, Cole, Conley, Cooley, Copeland, Crumpacker,

Dannettell, Elwell, Fromma, Girton, Gossman, Grubbs, Hauss, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Lehman, Lockhart, Madden, Moorman, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Reno, Spencer, Thompson of Howard, Viehe, Welborn, Whitehead, Yaryan, Zehring and Mr. Speaker—41.

So the bill failed for want of a constitutional majority.

In accordance with the order previously made, the House went into committee of the whole House, with Mr. Collins in the chair, for further consideration of House Bills Nos. 550 and 551.

After some time spent in consideration of the bills, the committee rose, and through the chairman, made the following report :

MR. SPEAKER :

The committee of the whole has been in session, has had under consideration House Bills Nos. 550 and 551, have directed me to report the same back and ask leave to sit again at 7 o'clock this evening.

Which report was concurred in.

The order of business, being House Bills on third reading, was resumed.

Mr. Craft called up House Bill No. 332.

Which had previously failed for want of a constitutional majority.

Mr. Langdon moved that further consideration of the bill be postponed until Friday morning.

Mr. Gossman moved that the motion lie upon the table.

The ayes and noes were demanded by Messrs. Langdon and Gossman.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Compton, Conley, Craft, Crum-packer, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Gossman, Grubbs, Guthrie, Harris, Hatfield, Hauss, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Moorman, Morgan, McGaughey, Paige, Peelle, Riley, Sailors, Scott, Thomas, Thomson of Miami, Whitehead and Mr. Speaker—49.

Those who voted in the negative were Messrs. Austin, Baxter, Branyan, Carson, Claypool, Cook, Cooley, Copeland, Davis, Fromm, Hall, Harper, Highway, Hosmer, Hulet, Johnson of Dearborn,

Koontz, Langdon, Lockhart, Madden, Marsh, Mathews, Merriman, Morrison, McCarty, Oglebay, Perigo, Rea, Reno, Stewart, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Yaryan, Zehring and Zimmerman—38.

So the motion to lie upon the table prevailed.

Mr. Reno moved that the House adjourn.

Which was not agreed to.

Mr. Carlton moved the previous question.

The question being, shall the previous question be seconded by the House.

The ayes and noes were demanded by Messrs. Reno and Hall.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Baxter, Benz, Bumgarner, Cary, Carlton, Chawner, Claypool, Cole, Collins, Compton, Cook, Craft, Elwell, Endsley, Foster of Allen, Foster of Monroe, Gossman, Grubbs, Guthrie, Harris, Hatfield, Hosmer, Hubbard, Kennedy of Rush, Kennedy of Union, Lehman, Mathews, Moorman, Morgan, McGaughey, Paige, Peelle, Riley, Sailors, Scott, Thomas, Thompson of Miami, and Mr. Speaker—42.

Those who voted in the negative were Messrs. Ashby, Askren, Branyan, Butler, Carr, Carson, Coffman, Conley, Cooley, Copeland, Crumpacker, Davis, Freeman, Fromm, Garver, Hall, Harper, Hauss, Highway, Hulet, Johnson of Dearborn, Kimmell, Koontz, Langdon, Lanham, Leeper, Lockhart, Madden, Marsh, Merriman, Morrison, McCarty, Oglebay, Perigo, Rea, Reno, Stewart, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Whitehead, Yaryan, Zehring and Zimmerman—46.

So the previous question was not seconded.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Austin, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Cole, Collins, Compton, Craft, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Highway, Hosmer, Hubbard, Kennedy of Rush, Kennedy of Union, Lehman, Lockhart, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Riley, Sailors, Scott, Thomas, Thompson of Howard, Thomson of Miami and Mr. Speaker—45.

Those who voted in the negative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Butler, Carr, Claypool, Coffman, Conley,

Cook, Cooley, Copeland, Crumpacker, Davis, Freeman, Hall, Harper, Hauss, Hulet, Johnson of Carroll, Johnson of Dearborn, Kimmell, Koontz, Langdon, Lanham, Leeper, Madden, Marsh, Mathews, Merriman, Morrison, Oglebay, Perigo, Rea, Reno, Stewart, Thompson of Elkhart, Viehe, Warrum, Whitehead, Yaryan, Zehring and Zimmerman—44.

So the bill failed for want of a constitutional majority.

Pending bills on third reading, on motion by Mr. Lehman, the House adjourned.

EVENING SESSION,

MARCH 1, 1877.

The House met, with the Speaker in the chair.

In accordance with the order previously made the House went into committee of the whole House, with Mr. Collins in the chair, for the consideration of House Bills Nos. 550 and 551.

After some time spent in consideration of the bills the committee rose and through its chairman made the following report :

MR. SPEAKER :

The committee of the whole House have had under consideration House Bill No. 551, and have directed me to report the same back to the House, and recommend the following amendment thereto :

Strike out from said bill the word "thirteen" wherever it occurs and insert in lieu thereof the word "twelve."

Also, that the committee have had under consideration House Bill No. 550, without coming to any conclusion on the same, have directed me to report the same back, and ask leave to sit again tomorrow at 9 o'clock A. M. to consider said bill.

Which report was concurred in.

Mr. Hall moved that House Bill No. 551 be considered engrossed and put upon its passage.

Which was agreed to, and the bill, being entitled House Bill No. 551, "An act to levy taxes for State revenue," was read the third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Ames,

Ashby, Austin, Baxter, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Elwell, Endsley, Freeman, Garver, Girtton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Lanham, Lehman, Lochhart, Madden, Marsh, Merriman, Moorman, Morgan, Morrison, McCarty, Peelle, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—70.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Branyan moved to reconsider the vote by which House Bill No. 551 was passed.

Which motion, on Mr. Peelle's motion, was laid upon the table.

By consent, the order of business was suspended, and Senate Bills on first reading taken up.

Engrossed Senate Bill No. 203. An act to require officers of corporations formed to construct gravel, plank or macadamized roads on abandoned roads, to make reports to the board of commissioners in the county in which such roads are situate, to regulate tolls on such roads, and to provide that the surplus earnings of such roads shall be expended in the improvement and repair of such roads.

Which was read a first time and passed to a second reading on to-morrow.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on Engrossed Bills Nos. 144 and 412 have carefully compared the same with the originals, and find them correctly engrossed.

Engrossed Senate Bill No. 108. A bill to amend section 3 of an act entitled "An act to amend sections 65 and 66 of 'an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and heirs thereto, and certain forms to be used in such

settlement,' approved June 17, 1852, and supplemental thereto," approved February 20, 1855.

Which was read a first time and passed to a second reading on to-morrow.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

Your committee on engrossed bills report that they have examined Engrossed House Bills Nos. 545, 143, 548, 499, 475 and 481 and find them correctly engrossed.

Engrossed Senate Bill No. 188. A bill providing for the appointment and qualification of county superintendents, repealing all acts and parts of acts in conflict herewith, and declaring an emergency.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 140. A bill to fix the time of holding courts in the Twelfth Judicial Circuit.

Which was read a first time, and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 99. A bill to amend section 57 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 321, entitled, "A bill providing for the current expenses of the Indiana Reformatory Institution for Women and Girls," and declaring an emergency.

Was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 32. A bill to amend section four hundred and fifty-five of an act entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinguishing between law and equity," approved June 18, 1852, and declaring an emergency.

Which was read a first time and passed for a second reading on to-morrow.

Pending bills on third reading, on motion by Mr. Lehman, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

MARCH 2, 1877.

The House met with the Speaker in the chair.

On motion by Mr. Mathews, the reading of the journal of yesterday's proceedings was dispensed with.

The committee on engrossed bills submitted the following report:

MR. SPEAKER:

The committee on engrossed bills has compared Engrossed House Bills Nos. 428 and 484, each with its original, and find both correctly engrossed.

Mr. Lockhart presented the claim of John Porter against the state for one letter press furnished principal clerk of House of Representatives.

Which was referred to the committee on claims, without reading.

Mr. Carlton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills respectfully report that on this 2d day of March, 1877, we presented to the Governor for his signature, the following named enrolled acts House of Representatives, viz: Nos. 51, 181, 420, 256, 471 and 50.

SENATE BILLS ON SECOND READING.

Engrossed Senate Bill No. 188 was read a second time and referred

to the committee on education with an amendment offered by Mr. Askren as follows :

MR. SPEAKER :

I move to amend by adding to section 2 the following words: *Provided, however,* That if such person so appointed, shall have had at least two years successful experience as a teacher, he shall not be required or obtain a certificate issued by the State Board of Education, showing that in the opinion of said Board of Education, he possesses knowledge and qualifications necessary to perform the duties of said office of county superintendent.

Engrossed Senate Bill No. 32 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 99 was read a second time and referred to the committee on cities and towns.

The committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills report that we have compared Enrolled Act No. 370, House of Representatives, with the engrossed bill, and we find the same correctly enrolled.

Engrossed Senate Bill No. 108 was read a second time and referred to the committee on judiciary.

Engrossed Senate Bill No. 321 was read a second time and referred to the committee on reformatory institutions.

Engrossed Senate Bill No. 140 was read a second time and ordered to a third reading on to-morrow.

The committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills respectfully report that we have compared Enrolled Acts Nos. 51, 50, 181, 420, 471 and 256, House of Representatives, with the engrossed bills, and we find them correctly enrolled.

House Bill No. 501, introduced by Mr. Chawner, was read a second time and referred to the committee on organization of courts.

Engrossed Senate Bill No. 203 was read a second time and referred to the committee on cities and towns.

By consent Mr. Grubbs offered the following resolution, which was adopted :

Resolved by the House of Representatives, That Lewis Jenkins be allowed \$2.50 per day for services rendered during the present session for raising coal from the cellar and keeping fires for the House.

That Robert Nichols be allowed a like sum per day for keeping side gate and cloak room since the 15th day of January, 1877.

And that the committee on ways and means be instructed to incorporate said sums in the Specific Appropriation Bill.

On motion by Mr. Grubbs the following message from the Senate was taken up, and the amendments therein contained were concurred in by the House:

MR. SPEAKER:

I am directed to inform the House of Representatives that on the 24th day of February, 1877, the Senate adopted a resolution requesting His Excellency, the Governor, to return to the Senate Enrolled Act No. 15, Senate of Indiana; and that, in pursuance of such resolution the Governor did this day return said Enrolled Act No. 15, Senate of Indiana, and that the Senate has amended said act as follows:

Amend title by striking out the word "and," in line 3; also, by inserting in said line, after the word "simplify" the words "and abridge."

Also, insert in line 4, after the word "practice," the word "pleadings."

And the same is herewith submitted to the House of Representatives for its concurrence therein.

The hour having arrived, the House, in accordance with its order previously made, went into committee of the whole House, with Mr. Collins in the chair, for the consideration of House Bill No. 550.

After some time spent in the consideration of the bill the committee rose, and through its chairman made the following report:

MR. SPEAKER:

The committee of the whole House has been in session, has had under consideration House Bill No. 550, has directed me to report the same back to the House and recommend the adoption of the accompanying amendments thereto:

Amend by striking out the item for incidental expenses, of \$580 in clause 1, section 2.

Amend by striking out the item for incidental expenses in clause 2, section 2.

Amend by striking out the item for incidental expenses in clause 3, section 2.

Amend by striking out the item for incidental expenses in clause 4, section 2.

Amend by striking out "\$580" for incidental expenses in clause 5, section 2.

Amend by allowing the Superintendent of Public Instruction \$500 for traveling expenses.

Amend by striking out for incidental expenses in clause 7, section 2.

Amend by striking out the contingent section in clause 8, section 2.

Amend by striking out the item of "\$300" for State Horticultural Society, in clause 10, section 2.

Amend by striking out "\$25,000" for State House expenses, etc., in clause 14, section 2.

Amend by striking out the words that refer to and fix the amount for incidental expenses in clause 1, section 4.

Amend by striking out the incidentals in clause 3 section 4.

Amend by striking out \$1,000 for incidental and traveling expenses, in clause 5 section 4, for Attorney General.

Amend clause 6 section 4, so as to allow the Superintendent of Public Instruction \$1,000 for traveling expenses, instead of \$1,600 for traveling and incidental expenses.

Amend by striking out \$2,000 for salary of Superintendent of Public Instruction and insert in lieu thereof \$2,500, clause 6 section 4.

Amend by striking out the word "incidental," clause 7 section 4, and insert in lieu thereof, the words "or so much thereof as may be necessary."

Amend by striking out the amount for incidental expenses in clause 2, section 4.

Amend by striking out the item making an appropriation for State Horticultural Society, clause 10 section 4.

Amend by inserting after the words "\$10,000 for repairs," in clause 11 section 4, and insert in lieu thereof, the words, "to be used only for repairs ordered by the board of trustees."

Amend by inserting the word "current," in the first line of clause 12 section 4, before the word "expenses."

Amend by inserting at the end of line seventeen, in clause twelve section four, the words, "support of inmates."

Amend by striking out of clause 13 section 4, on page 33, the words, "fifteen hundred dollars, which shall include the payment of the Trustees and Secretary and all charges on the State Treasury," and insert the following: "Five thousand dollars for current expenses; twenty-five hundred dollars for apparatus, machinery, cabinets and fixtures, one thousand dollars for books and periodicals for library and fifteen hundred dollars for stock, experiments in agriculture and improvements of grounds."

Amend by striking out in line —, clause 13 section 4, page 33, the words, "and of Purdue University."

Amend clause 14 section 4, by allowing for State House repairs five thousand dollars.

Which was concurred in.

Mr. Langdon offered the following amendment to bill No. 550:

MR. SPEAKER:

I move to amend by striking out, on page 19, the following words: "Fifteen hundred dollars, which shall include the payment of the Trustees and Secretary and all charges on the State Treasury," and insert the following: "Forty-nine hundred dollars for improvements made in 1876, and twenty-nine hundred dollars for current expenses; also thirty-four thousand five hundred dollars for completion and furnishing of the college building: *Provided*, That of the balance coming to said university from John Purdue, the sum of \$37,900 first due shall be payable and collectable by the Treasurer of State, for the use of the State of Indiana."

Which was not adopted.

The Speaker announced that he had signed Enrolled House Acts Nos. 51, 50, 256, 181, 420 and 471.

The following message from the Senate was received by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed House Bill No. 13. A bill to amend sections 19 and 20 of an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1852.

Engrossed House Bill No. 37. A bill to amend section 8 of an

act entitled "An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Engrossed House Bill No. 350. An act to establish a Superior Court in the county of Vanderburgh, defining its jurisdiction, providing for the election and compensation of the judge thereof, to abolish the Criminal Court of said county and transferring its business to the Circuit Court thereof.

Engrossed House Bill No. 359. A bill to amend an act entitled "An act to authorize plank, macadamized and gravel road companies to consolidate their stock with other similar companies and to assume a common name, and defining the powers of such consolidated company," approved February 23, 1859.

Engrossed House Bill No. 333. A bill to authorize cities to issue bonds for the purpose of funding their indebtedness, reducing the rate of interest on pre-existing obligations, compromising with any creditor or creditors or taking up or canceling bonds, notes or other securities already due or which shall hereafter become due, and making it the duty of the common council of such city to levy taxes for the payment of the interest, and to provide sinking funds for the regulation of the principal of said bonds.

Engrossed House Bill No. 33. A bill to amend section 7 of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations, and repealing the laws on that subject," approved March 5, 1857, and March 7, 1873, and legalize all such associations now in existence, approved March 11, 1875.

Engrossed House Bill No. 23. A bill entitled "An act to amend section 27 of an act entitled 'an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws,'" approved March 12, 1875.

Engrossed House Bill No. 34. A bill authorizing boards of county commissioners to construct gravel, macadamized, or paved roads upon petition of a majority of the resident land owners along and adjacent to the line of any road; authorizing them to issue bonds of the county to raise money required for that purpose,

and provide for the payment of such bonds by taxing lands adjacent to the road, repealing all laws inconsistent herewith, and declaring an emergency.

Engrossed House Bill No. 346. A bill to fix the time for holding the terms of the Superior court of Tippecanoe county.

Engrossed House Bill No. 328. A bill legalizing the election of officers of the town of Kentland.

Engrossed House Bill No. 261. A bill to amend section 38 of an act entitled "An act regulating general elections and prescribing the duties of officers in relation thereto," approved June 7, 1852, and declaring an emergency.

Engrossed House Bill No. 234. A bill supplementary to an act approved March 14, 1867, entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto.

And the same are herewith returned to the House.

I am also directed to inform the House that the Senate has passed the following joint resolution, to-wit:

Engrossed House Joint Resolution No. 15. A joint resolution directing and authorizing the Auditor of State and the Treasurer of State to examine into the present state of accounts of the State of Indiana with the estate of John P. Dunn, late of Perry county, Indiana, etc., with the following amendments, to-wit:

Amend by inserting after the word "detail" on page 3 of the resolution the words "for the information of the General Assembly," and strike out all on the last page after the word "estate."

I am also directed by the President of the Senate to inform the House of Representatives that he has signed the following acts, to-wit:

Enrolled Act No. 471, House of Representatives. An act to amend an act approved February 24, 1869, entitled "An act to amend sections 1 and 3 of an act entitled 'an act to provide for the re-location of county seats, and for the erection of public buildings in counties in case of such re-location,' approved March 2, 1855, and to amend section 1 of an act amendatory of said acts," approved

December 18, 1865, and to provide for the appointment of commissioners.

Enrolled Act No. 256, House of Representatives. An act to amend section 1 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof and of the Auditor of State in connection therewith, and prescribing penalties for the violation of the provisions of this act," approved December 21, 1865, and adding supplemental sections thereto.

Enrolled Act No. 420, House of Representatives. An act to amend section 4 of an act entitled "An act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which such harbors may run, and to assess damages and benefits against adjoining owners," approved March 9, 1875.

Enrolled Act No. 181, House of Representatives. An act to confirm and legalize the corporate name and organization of the Rose Polytechnic Institute.

Enrolled Act No. 50, House of Representatives. An act authorizing cities and incorporated towns to change and reform their boundaries, so as to exclude therefrom suburban lots or tracts of land not laid out in lots.

Enrolled Act No. 51, House of Representatives. An act authorizing the school trustees of a city or incorporated town to pay over to such city or town surplus special school revenue for the payment of indebtedness created for school building purposes, and legalizing acts where such surplus has been so appropriated.

And the same are herewith returned to the House of Representatives.

Also, I am directed by the Senate to transmit to the House of Representatives the following resolution of the Senate, to-wit :

Resolved, That the House be respectfully requested to return to the Senate Engrossed House Bill No. 37, passed by the Senate, and now in the hands of the enrolling clerk of the House.

Pending the further consideration of House Bill No. 550, on motion by Mr. Branyan the House adjourned.

AFTERNOON SESSION,

March, 2, 1877.

The House met, with the Speaker in the chair.

Consideration of House Bill No. 550 was resumed.

Mr. Cole moved to reconsider the vote by which the amendment offered by Mr. Langdon was lost, the ayes and noes being demanded by Messrs. Cole and Langdon.

Those who voted in the affirmative were Messrs. Adams, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Coffman, Cole, Collins, Compton, Cooley, Craft, Elwell, Foster of Allen, Foster of Monroe, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hauss, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Langdon, Marsh, Mathews, Oglebay, Peelle, Priest, Sailors, Scott, Stewart, Thomas, Thomson Miami, Viehe and Mr. Speaker—42.

Those who voted in the negative were Messrs. Askren, Austin, Butler, Carr, Cook, Copeland, Crumpacker, Dannettell, Davis, Hatfield, Highway, Hosmer, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lanham, Lehman, Madden, Moorman, Merriman, Morgan, Morrison, McCarty, Perigo, Rea, Riley, Smith, Spencer, Swayzee, Thompson of Elkhart, Thomson of Howard, Warrum, Welborn and Whitehead—36.

So the motion to reconsider prevailed.

The question being upon the adoption of the amendment,

The ayes and noes were demanded by Messrs. Carson and Langdon.

Those who voted in the affirmative were Messrs. Adams, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Cooley, Endsley, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Hauss, Henderson, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Langdon, Lockhart, Marsh, Mathews, McGaughey, Oglebay, Peelle, Scott, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Wells and Mr. Speaker—43.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Butler, Carr, Cook, Copeland, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Freeman, Fromm, Harris, Harper, Hatfield, Highway, Hosmer, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lanham Leeper, Lehman,

Madden, Merriman, Moorman, Morgan, Morrison, McCarty, Paige, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Swayzee, Thompson of Elkhart, Warrum, Welborn, Whitehead, Yaryan and Zimmerman—49.

So the amendment was not adopted.

By consent, the bill was considered as engrossed.

House Bill No. 550. A bill making appropriations for the expenses of the State government and its institutions, directing the objects to which said appropriations shall be applied, requiring accounts of receipts and expenditures to be kept and reported by the fiscal years of the State, and repealing inconsistent laws.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Cook, Cooley, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—76.

Those who voted in the negative were Messrs. Askren, Austin, Benz, Carlton, Cole, Davis, Foster of Allen, Gossman, Hatfield, Hauss, Hulet, Johnson of Dearborn, Lehman, Madden, McCarty, Priest, Spencer and Stewart—18.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The committee on engrossed bills submitted the following report:

Mr. SPEAKER:

The committee on engrossed bills have compared Engrossed House Bills Nos. 486 and 182 each with the original bill, and do find each correctly engrossed.

On motion by Mr. Craft the resolution of the Senate, requesting the return of House Bill No. 37, was concurred in.

By consent Mr. Cole offered the following resolution :

MR. SPEAKER :

WHEREAS, Information has reached this House that Governor Williams has declined to issue commissions to the various officers elected to manage the benevolent institutions, at the recent joint convention of the Senate and House of Representatives ; therefore,

Be it resolved, That a committee of five members of the House be appointed to interview Governor Williams and ascertain the facts of the cases and the grounds of such refusal, and also to report what action, if any, is necessary to be taken by this Legislature in the matter.

Which was adopted.

The Speaker announced the appointment of Messrs. Cole, Grubbs, Garver, Viehe and Collins to act as such committee.

By consent, Mr. Yaryan, from the committee on ways and means, reported House Bill No. 553, being entitled "A bill making specific appropriations and directing how they shall be paid."

Which was read the first time, whereupon Mr. Hall moved that the constitutional rule be suspended and the bill read the second time by title.

The ayes and noes being taken under the constitution,

Those who voted in affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—92.

No member voting in the negative.

So the constitutional rule was suspended and the bill was read the second time by title.

Mr. Hall moved that the House go into committee of the whole House for the further consideration of the bill.

Which was agreed to, and the House went into committee of the whole House, with Mr. Grubbs in the chair.

After some time spent in the consideration of the bill the committee rose, and through its chairman, made the following report:

MR. SPEAKER:

The committee of the whole House has been in session, and has had under consideration House Bill No. 553, and without coming to any conclusion, the committee rose, directing me to report the bill back and ask leave for said committee to sit again this evening at 7 o'clock.

Which report was concurred in.

Mr. Cole moved to take up House Bill No. 332.

Which was not agreed to.

By consent, Mr. Peelle offered the following resolution:

Resolved, That the clerk to the commissioners of public stationery, be instructed to inform the House at once, what amount of stationery in value has been drawn by the Principal and Assistant Clerks, each, at this session, and also what amount was drawn by the Principal and Assistant Clerks of the House at the session of two years ago.

The motion was adopted.

On motion by Mr. Lanham, the House, pending House bills on third reading, adjourned until 7 o'clock P. M.

NIGHT SESSION.

March 1, 1877, 7:30 P. M.

The House met pursuant to adjournment, with the Speaker in the chair.

By consent, Mr. Peelle, from the committee on insurance, submitted the following report:

MR. SPEAKER:

Your committee on insurance, to whom was referred House Bill

No. 317, being a bill entitled "An act to define and regulate the business of insurance companies other than life," have had the same under consideration, and the committee have directed me to report the same back to the House with the recommendation that the same do pass.

The report was concurred in, and the bill ordered to be engrossed.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed Senate Bill No. 266. An act to amend section 118 of an act entitled, "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon, approved December 21, 1872.

Engrossed Senate Bill No. 318. An act relating to congressional township school lands and the funds arising therefrom, in cases where townships are divided by county lines; providing for a distribution of the proceeds thereof, prescribing the duties of county auditors and other officers relating thereto, fixing compensation of auditors, and other matters connected with the subject matter connected therewith, and declaring an emergency.

And the same are herewith submitted to the House of Representatives for its action thereon.

Also, Engrossed House Bill No. 214. A bill to amend section 6 of an act entitled "An act to create the Forty-first Judicial Circuit to amend sections 34 and 39 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit court, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of court in the Thirty-third, Thirty-eighth and Forty-first circuits, and repealing all laws inconsistent therewith, approved March 9, 1875.

Also, Engrossed House Bill No. 37. A bill to amend section 8 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation

of cities, and prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867, with certain amendments thereto.

And the same is herewith submitted to the House for its concurrence therein.

Also, that the Senate has passed the following concurrent resolution, to-wit:

WHEREAS, The lands attached and belonging to the House of Refuge for juvenile offenders are insufficient for the successful employment of the inmates of that institution; and

WHEREAS, There are situate near to and adjoining said institution one hundred acres of land, of a kind and character which can and should be purchased for such institute; and

WHEREAS, Such lands can be purchased at a fair and reasonable price at this time; therefore

Be it resolved by the Senate, the House concurring therein, That the Board of Commissioners of said House of Refuge be and are hereby instructed and authorized to purchase such one hundred acres of land lying near to and adjoining the present grounds owned and possessed by said institute: *Provided, however,* That said Board of Commissioners shall not pay a sum to exceed one hundred dollars per acre for such land, and further, that the money used for the purchase of said land shall be taken from the profits arising from the labor of the chair shops of said House of Refuge, not needed to carry on the said House of Refuge.

And the same are herewith submitted to the House for its concurrence therein.

By consent the order of the House, providing for the consideration of House Bill No. 553 in committee of the whole House, was set aside and the bill was taken up by the House and considered by sections.

Mr. Marsh moved the following amendment to the bill:

I move to amend by striking out lines 36, 37, 38, 39, 40 and 41, and the word "heir" in line 42, in section 1 of said bill.

Which was agreed to.

Mr. Hauss moved the following amendment to the first clause, section 1 of the bill:

I move to strike out the per diem for the Attorney General

serving on the commission of claims for the Prison South, in clause 1 of section 1.

Which was agreed to.

Mr. Hall moved the following amendment to section 1 of the bill:

I move to change the appropriation for Insane Asylum to \$100,000 for the year 1877, and \$150,000 for the year 1878, in clause 3, section 1.

Which, on motion by Mr. Adams, was laid upon the table.

Mr. Grubbs moved the following amendment to section 1 of the bill:

I move to strike out clause number 4, section 1.

Which was not agreed to.

Mr. Thompson of Elkhart moved the following amendment to section 1:

I move to strike out that part that relates to the appropriation to the State Agricultural Fair Grounds in clause 5, section 1.

Which was not agreed to.

Mr. Langdon offered the following amendment to section one, of the bill:

I move to amend the bill, by adding after clause 5, in section 1, on page 5, "For Purdue University, \$5,000 for improvements made in 1876; \$3,000 for current expenses for seven months, ending Oct. 31, 1877; \$35,000 for completing and furnishing college buildings: *Provided, however,* that before said appropriation shall be paid, the Trustees of Purdue University shall assign and transfer in due form of law, to the State of Indiana, \$40,000 of the balance, first due from the estate of John Purdue to said University, together with the mortgage securing the same."

The question being, shall the amendment be adopted?

The ayes and noes were demanded by Messrs. Langdon and Carson.

Those who voted in the affirmative were Messrs. Adams, Austin, Baxter, Branyan Bumgarner, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Compton, Cooley, Craft, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Hall, Hauss, Henderson, Houghton, Hulet, Johnson of Carroll, Kennedy of Rush, Langdon, Lockhart, Marsh, Matthews, McGaughey, Oglebay,

Peelle, Scott, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Wells, Zehring and Mr. Speaker—43.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Butler, Carr, Cook, Copeland, Crumpacker, Dannettell, Davis, Elwell, Harris, Harper, Hatfield, Highway, Hosmer, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Madden, Matthews, Moorman, Morgan, Morrison, McCarty, Perigo, Priest, Rea, Reno, Riley, Smith, Spencer, Swayzee, Thompson of Elkhart, Warrum, Welborn, Whitehead, Yaryan, Zimmerman—42.

So the amendment was adopted.

Mr. Craft moved the following amendment to section 1 of the bill :

I move to amend by adding to clause 6, section 1, " and the further sum of \$1,440 to pay B. F. Havens amount due for insurance of buildings.

The question being upon the adoption of the amendment, the ayes and naves were demanded by Messrs. Yaryan and Harper.

Those who voted in the affirmative were Messrs. Adams, Carlton, Carr, Chawner, Claypool, Coffman, Compton, Cooley, Craft, Foster of Monroe, Gossman, Henderson, Johnson of Carroll, Johnson of Dearborn, Langdon, Lanham, Lockhart, Madden, Stewart, Thomas, Matthews—21.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carson, Conley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Foster, Freeman, Fromm, Garver, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Hubbard, Hulet, Kennedy of Union, Kimmel, Koontz, Madden, Marsh, Merriman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Scott, Smith, Spencer, Swazee, Thompson of Elkhart Thompson of Howard, Thompson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—63.

So the amendment was not adopted.

Mr. Carlton moved the following amendment to section 1 of the bill :

I move to amend the part of the bill in reference to the State Normal School by inserting the following: "For the construction of a fence around the State Normal School grounds, \$3,000."

Which was not agreed to.

Mr. Carlton offered the following amendment to section 1 of the bill :

I move to amend clause 6, section 1, by inserting the following : "For paying the city of Terre Haute for grading, graveling and improving streets along the grounds of the State Normal School, being amount paid by the city of Terre Haute to Lawrence Butler and J. L. Davis, contractors, \$403.50."

Which was not agreed to.

Mr. Carlton moved the following amendment to section 1 of the bill :

I move to amend the bill by inserting in clause 6, section 1, the following : "For library and apparatus for the State Normal School, \$1,000.

Which was not agreed to.

Mr. Carlton moved the following amendment to section 1 of the bill :

I move to amend by inserting in clause 6, section 1, the following : "For paving the sidewalk along the grounds, \$600."

The question being upon the adoption of the amendment, Messrs. Carlton and Mathews demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Branyan, Bumgarner, Butler, Cary, Carlton, Chawner, Claypool, Coffman, Compton, Craft, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Garver, Gossman, Harris, Hauss, Henderson, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Langdon, Marsh, Mathews, Moorman, McCarty, McGaughey, Oglebay, Peelle, Reno, Riley, Scott, Smith, Spencer, Stewart, Thomas, Thomson of Miami, Viehe, Whitehead, Zehring and Mr. Speaker—49.

Those who voted in the negative were Messrs. Askren, Baxter, Carr, Carson, Cook, Copeland, Crumpacker, Dannettell, Fromm, Grubbs, Hall, Harper, Hatfield, Highway, Hosmer, Kennedy of Union, Koontz, Lanham, Leeper, Lockhart, Merriman, Morgan, Morrison, Perigo, Priest, Rea, Swayzee, Thompson of Elkhart, Thompson of Howard, Warrum, Welborn, Wells, Yaryan and Zimmerman—34.

So the amendment was adopted.

Mr. Carlton moved the following amendment to section 1 of the bill :

I move to amend the bill by inserting in clause 6, section 1, "for constructing a fence for the State Normal School, \$2,000."

Mr. Kennedy of Rush offered the following amendment to the amendment offered by Mr. Carlton:

I move to amend the amendment by inserting \$1,000.

Which amendment was accepted by Mr. Carlton.

The question being upon the adoption of the amendment as amended, the ayes and noes were demanded by Messrs. Carlton and Mathews.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Branyan, Bumgarner, Cary, Carlton, Chawner, Coffman, Compton, Cook, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Gossman, Grubbs, Harris, Hauss, Henderson, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Langdon, Lanham, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Reno, Riley, Scott, Smith, Spencer, Stewart, Thomas, Thomson of Miami, Wells, Whitehead and Zimmerman—53.

Those who voted in the negative were Messrs. Baxter, Benz, Butler, Carr, Carson, Claypool, Copeland, Foster of Allen, Freeman, Girton, Hall, Hatfield, Highway, Hosmer, Houghton, Kennedy of Union, Leeper, Lockhart, Morgan, Morrison, Perigo, Priest, Rea, Thompson of Howard, Viehe, Warrum, Welborn, Yaryan, Zehring and Mr. Speaker—31.

So the amendment was agreed to.

Mr. Johnson of Carroll offered the following amendment to the bill:

Section —. That Frank White be allowed \$20.00 for four days service in assisting in the enrollment of House bills at the end of the present session.

Which was agreed to.

Mr. Craft offered the following amendment to the bill:

I move to amend by inserting the sum of \$75.00 in favor of Franklin Life Insurance Company for room rent for use of clerks.

Which was agreed to.

Mr. Craft offered the following amendment to the bill:

I move to amend by inserting the following sums as allowances of expenses for the committee on education in visiting Purdue University, State University and State Normal School: Claude Mathews, \$20.00; John Chawner, \$20.00; James Johnson, \$20.00;

John W. Houghton, \$20.00; Isaac Bumgarner, \$20.00; Robert C. Foster, \$20.00.

Which was adopted.

Mr. Craft offered the following amendment to the bill :

I move to amend by adding the sum of \$3.95 for McOuat, Foote & Co., for coal-hod, water bucket, etc., for use in enrolling clerks room.

Which was agreed to.

Mr. Craft offered the following amendment to the bill :

I move to amend by inserting the sum of \$23.50 in favor of Spiegel, Thoms & Co., for tables for use of the House.

Which was adopted.

Mr. Craft offered the following amendment to the bill :

I move to amend by inserting the sum of \$65 in favor of Louisa C. Martin for money paid to the State for swamp land in Kosciusko county, which proved not to belong to the State.

Which was adopted.

Mr. Craft offered the following amendment to the bill :

I move to amend by inserting the sum of \$1,000 in favor of N. B. Taylor, as full compensation for services rendered in cases Nos. 924, 934, 946, 947, 948, 991, 992, 1525 and 1526, in the Superior Court of Marion County, as assistant counsel of the Attorney General.

The question being, upon the adoption of the amendment.

The ayes and noes were demanded by Messrs. Craft and Kennedy of Union.

Those who voted in the affirmative were Messrs. Albert, Branyan, Carlton, Coffman, Craft, Crumpacker, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Harris, Hatfield, Hauss, Highway, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Lanham, Lockhart, Madden, Matthews, Moorman, McGaughey, Oglebay, Paige, Peelle, Rea, Reno, Riley, Scott, Smith, Thomas, Thomson of Elkhart, Warrum, Wells, Whitehead, Yaryan, Zehring and Mr. Speaker—44.

Those who voted in the negative were Messrs. Asken, Baxter Benz, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cook, Copeland, Dannettell, Davis, Foster of Allen, Fromm, Hall, Hosmer, Houghton, Kennedy of Union, Kimmell, Leeper, Marsh,

Merriman, Morgan, Morrison, McCarty, Perigo, Priest, Spencer, Stewart, Thompson of Howard, Welborn and Zimmerman—33.

So the amendment was adopted.

Mr. Compton offered the following amendment to the bill :

I move to amend by adding the following in clause 3, section 2 :
 “ And the further sum of \$1,500 each for services rendered in the sinking fund injunction suit.”

Which was not agreed to.

Mr. Branyan moved the following amendment to clause 10 of section 2 :

I move to strike out of clause 10, of section 2, the words, “one hundred and fifty-two dollars and fifty cents,” and insert instead thereof the words, “two hundred and thirteen dollars and fifty cents.”

Which was agreed to.

Mr. Yaryan offered the following amendment to the bill :

I move to strike out all items in clause 11, section 2, for stationery for committees.

Which was agreed to.

Mr. Whitehead offered the following amendment to the bill :

I move to amend the bill in clause 12, section 2, so as to allow Robert Nichols \$3.50 per day since January 15th.

Which was agreed to.

Mr. Hall offered the following amendment :

I move that J. C. Bland be allowed three dollars and fifty cents per day, for services as sweeper during this session of the Legislature.

Which amendment was adopted.

Mr. Leeper offered the following amendment to the bill :

I move to amend by inserting, that W. H. Madden be allowed twenty-four dollars for overcoat stolen from the lobby.

Which, on Mr. Compton's motion, was laid upon the table.

Mr. Adams offered the following amendment to the bill :

I move to amend, by inserting in the proper place, that W. H. Russell be allowed the sum of three dollars and fifty cents per day, for services during the session of the Legislature.

Which was adopted.

Mr. Craft offered the following amendment to the bill :

I move to amend by inserting the additional sum of thirty dollars each for the Pages of the House.

Which was adopted.

Mr. Overmyer offered the following amendment to the bill :

I move to amend the bill as follows : That \$24,268.80, or so much thereof as may be necessary, be and the same is hereby appropriated to pay the claims of those persons whose property was taken, injured or destroyed by the Union forces, under State officers, while in the pursuit of the rebel forces under John Morgan, in the State of Indiana, in the year 1863. Out of this appropriation only those claims which were designated as "Class No. 2" by the Morgan Raid Commissioners, who heard, determined and adjusted said claims as to amount in the year 1867, are to be paid. Said claimants of said "Class No. 2" shall be paid the amounts allowed to them respectively by the said Morgan Raid Commissioners, whose report, together with statements in writing of the amount allowed to each claimant, are now on file in the office of the Governor. It shall be the duty of the Auditor of State to issue his warrants upon the Treasurer of State to each claimant, or to the personal representatives of such as are deceased, for the amount stated in the report of said Morgan Raid Commissioners to have been allowed such claimant, as equitably and justly due him. Before the Auditor of State shall issue any warrant to any person in whose favor any claim was allowed by the said Morgan Raid Commission, such person shall make and file, or cause to be made and filed in the office of the Auditor of State, his or her affidavit, sworn to before some person authorized to take acknowledgments of deeds, which affidavit shall set forth that such claimant is the identical one to whom said claim was allowed by the said Morgan Raid Commissioners, or that he is the personal representative, in case the original claimant is deceased. Such affidavit shall further state that such claimant has never, in any way, assigned, transferred or parted with his interest in the claim, payment of which he seeks; that he is still the absolute owner of such claim, and has never received any compensation therefor from the Government of the United States, or the State of Indiana, or from any individual; that he has never received anything, or the promise of anything, conditional or dependent upon the settlement of such claim, either by the Government of the United States or of the State of Indiana,

The question being upon the adoption of the amendment, the ayes and noes were demanded by Messrs. Overmyer and Grubbs.

Those who voted in the affirmative were Messrs. Albert, Askren, Benz, Craft, Foster of Monroe, Freeman, Hall, Johnson of Dearborn, Kennedy of Rush, Langdon, Lanham, Marsh, Morrison, Rea, Thomas and Mr. Speaker—16.

Those who voted in the negative were Messrs. Adams, Ames, Ashby, Austin, Baxter, Branyan, Butler, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Compton, Cook, Copeland, Crum-packer, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Fromm, Garver, Girton, Grubbs, Harris, Hauss, Henderson, Highway, Hosmer, Houghton, Johnson of Carroll, Kennedy of Union, Kimmell, Leeper, Lockhart, Madden, Mathews, Merriman, Moor-man, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Smith, Spencer, Stewart, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wel-born, Wells, Whitehead, Yaryan, Zehring and Zimmerman—65.

So the amendment was not adopted.

Mr. Grubbs offered the following amendment to the bill :

That Cyrus T. Nixon, principal clerk, and James Cole, assistant clerk of the House of Representatives, be allowed \$250 each for superintending the printing of the House Journals, indexing and reading proof of same, for making calendar of bills pending upon adjournment and filing all bills and papers in proper form.

Which amendment was adopted.

Mr. Chawner, from the committee on engrossed bills, submitted the following report :

MR. SPEAKER :

The committee on engrossed bills have examined engrossed bill No. 465 with the original copy, and find it correctly engrossed.

Mr. Davis offered the following amendment :

I move to amend by inserting, that J. A. Gauntt, assistant door-keeper, be allowed thirty-nine dollars, for expenses in attending the committee on prisons to Jeffersonville and Michigan City.

Which was adopted.

Mr. Foster, of Allen, offered the following amendment to the bill :

I move to allow M. C. B. Austin, of Allen, twelve dollars and fifty cents for statutes stolen from his desk. . .

Which was not agreed to.

Mr. Kennedy, of Rush, offered the following amendment to the bill :

I move to allow David Sullivan, the spittoon cleaner and water closet cleaner, the sum of three dollars and fifty cents per day.

Which was agreed to.

Mr. Peele offered the following amendment to the bill :

I move to amend the bill by adding the following: Charles Eppinghousen, one thousand dollars ; J. C. Johnson, six hundred dollars; G. B. F. Cooper, four hundred dollars.

Mr. Adams offered the following amendment to the bill :

I move to amend Mr. Peelle's amendment, in the proper place, as follows : Which shall be in full for all claims against the State on account of the plans and specifications furnished by them.

Which was agreed to, and the amendment as amended was agreed to.

Mr. Foster of Allen moved that the House adjourn.

Which was not agreed to.

Pending the further consideration of the bill, on motion by Mr. Davis the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING.

MARCH 3, 1877.

The House met with the Speaker in the chair.

Prayer was offered by Rev. J. R. Bicknell, Pastor of St. James Episcopal church.

On motion by Mr. Branyan the reading of the journal of yesterday's proceeding was dispensed with.

On motion by Mr. Lockhart Engrossed House Bill No. 395, a bill fixing the time of holding court in the Twenty-fifth Judicial Circuit, and the length of terms thereof, and repealing all laws in conflict therewith, was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Hubbard, Kimmell, Koontz, Langdon, Lanham, Lehman, Lockhart, Madden, Marsh, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker.—76.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your committee on enrolled bills respectfully report that we have compared the enrolled acts with engrossed bills, House of Representatives, Nos. 13, 23, 328, 346, 33, 350, 359, 261 and 333, and we find the same to be correctly enrolled.

Consideration of House Bill No. 553 was resumed.

Mr. Carlton offered the following motion:

I move to reconsider the vote by which \$1,000 was appropriated to Charles Eppinghausen, \$600 to J. C. Johnson, \$400 to G. B. T. Cooper, etc., in the specific appropriation bill.

Which was agreed to.

Mr. Viehe moved the following amendment to the bill:

I move to amend as follows: That T. Baker & Co. be allowed, for committee rooms for the House, \$300.

Which was agreed to.

Mr. Morgan moved the following amendment to the bill:

I move to amend the bill by inserting "\$300 for the State Horticultural Society."

Which was not agreed to.

Mr. Craft offered the following amendment:

I move to amend by inserting the sum of one hundred dollars each in favor of Stephen Metcalf, Lewis T. Wilson, W. H. Snodgrass, J. J. Ferris, W. H. Brown, L. T. Cookus, M. G. McLain, Cyrus T. Nixon, D. W. Rowland, John C. Eiter, G. S. Wright, D. M. Ransdell, John L. Pitner, W. S. Berkley, John L. Rupe, John M. Commons, F. M. Burley, Eugene Sullivan, John C. McCormick, Obed Osgood and Miss Eclecta Pettyjohn, employes of the House of session of 1873, who were allowed the said amounts by resolution, warrants issued them but no appropriation made for their pay.

Which was not agreed to.

Mr. Craft offered the following amendment :

I move that George Heidlison be allowed twelve dollars for desk for House of Representatives.

Which was adopted.

Mr. Viehe offered the following amendment to the bill :

Section 3. Whereas, An emergency exists for the immediate taking effect of this act, therefore it shall be in force and take effect from and after its passage.

Which was agreed to.

By consent the bill was considered as engrossed, whereupon the bill being entitled "Engrossed House Bill No. 553," a bill making specific appropriations, and directing how they shall be paid, was read the third time.

Mr. Compton moved the previous question, which was seconded by the House, and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Benz, Branyan, Bumgarner, Cary, Carson, Chawner, Cooley, Elwell, Foster of Monroe, Garver, Gossman, Grubbs, Guthrie, Harris, Johnson of Carroll, Kennedy of Rush, Koontz, Langdon, Lanham, Marsh, Mathews, Morgan, Morrison, McGaughey, Oglebay, Peelle, Riley, Scott, Thomas, Thomson of Miami, Wells and Mr. Speaker—35.

Those who voted in the negative were Messrs. Ashby, Askren, Austin, Baxter, Butler, Carlton, Carr, Claypool, Coffman, Cole, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Freeman, Fromm, Girton, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell,

Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, McCarty, Paige, Perigo, Priest, Rea, Reno, Smith, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Whitehead, Yaryan, Zehring, and Zimmerman—60.

So the bill was lost.

On motion by Mr. Foster of Allen, Senate bills on third reading were taken up.

The following message was received from His Excellency, Governor Williams, by his Private Secretary Mr. Downey :

The Honorable, the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House of Representatives that he has approved and signed House enrolled bills numbered and entitled as follows :

No. 150. An act to exempt benefits, claims and interest of the wives, children and dependents of members of Masonic, Odd Fellows and other charitable societies, and exempting certain policies of life insurance from claims of creditors, and designating the place where such corporations shall be sued, and providing for changing the names of payees or beneficiaries, as may be agreed upon by the members of such societies or incorporations and the societies or incorporations of which they are members ; approved March 2, 1877.

No. 250. An act repealing parts of an act entitled "An act repealing an act entitled an act to amend sections 3 and 14 of an act entitled an act to allow county commissioners to organize turnpike companies, when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free," approved March 6, 1865, approved March 9, 1867, and all the acts entitled "an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject," approved March 11, 1867, approved March 14, 1869, and declaring an emergency, approved March 13, 1875, which act so entitled repealed an act entitled "an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject," approved March 11, 1867,

approved May 14, 1869, and to revive the said act, approved May 14, 1869, so repealed; providing that plank, macadamized, turnpike and gravel road companies organized after the 13th day of March, 1875, shall not have the benefit of said act so revived; declaring assessments upon lands for plank, macadamized and gravel road purposes in certain cases to be valid and binding, and providing for the collection and application of the same, and declaring an emergency, approved March 2, 1877.

No. 430. An act to legalize a certain ordinance of of the Common Council of the City of Indianapolis therein mentioned, designated as an ordinance No. 51, and passed October 16, 1876; as well as the acceptance thereof by the Union Railroad Transfer and Stockyard Company, and to validate the contract embraced in said ordinance, and in the acceptance thereof, approved March 2, 1877.

Also, that he has approved and signed House Joint Resolution numbered and entitled as follows:

No. 14. A joint resolution repealing a joint resolution entitled "A joint resolution requesting the Governor to appoint a suitable person to revise and correct the swamp land books of the State of Indiana, in the office of the Auditor of State, approved March 6, 1865," approved March 2, 1877.

And that he has caused said acts and joint resolution to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, March 2, 1877.

Engrossed Senate Bill No. 11. A bill to abolish the criminal circuit courts of the counties of Floyd and Clark, and to transfer the jurisdiction and business of said courts to the circuit courts of said counties respectfully.

Was taken up and laid upon the table.

SENATE BILLS ON THIRD READING.

Engrossed Senate Bill No. 71. A bill to give the consent of the State of Indiana to the acquirement by the United States, either by purchase or condemnation of lands within this State required for the improvement of the Ohio and Wabash rivers, and to cede jurisdiction over the same.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Cary, Carlton, Claypool, Cole, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Koontz, Lanham, Lehman, Lockhart, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—77.

Those who voted in the negative were Messrs. Ames, Baxter, Butler, Carr, Carson, Chawner, Coffman, Compton, Cook, Kimmell and Spencer—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 311. A bill to amend sections 208 and 210 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.

Engrossed House Bill No. 379. A bill authorizing allowances in aid of agricultural associations.

Engrossed House Bill No. 38. A bill to amend sections 132 and 374 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice," etc.

Engrossed House Bill No. 39. A bill to provide for the restoration and preservation of the records of the various counties, and the records of all courts of record.

Engrossed House Bill No. 551. A bill to levy an annual tax for the purpose of raising revenue.

And the same are herewith returned to the House.

The following engrossed amendments of the Senate to House Bill No. 37, were, on motion by Mr. Craft, taken up and concurred in :

Amend section 1 by inserting in line 26 the words "and marshal" after the word "commissioners."

Amend section 1 by inserting in line 30 the words "civil engineer" after the word "commissioner."

Engrossed Senate Bill No. 107. A bill providing for the protection of wild game, and defining the time in which the same may be taken or killed, and also providing for the protection of certain birds therein named and their eggs, and prescribing the penalty for the violation of the same, and repealing all laws inconsistent herewith.

Was read a third time with the amendments of the House thereto. The question being, shall the bill as amended pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Branyan, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Harris, Harper, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Lehman, Lockhart, Marsh, Mathews, Moorman, Morgan, Morrison, McGaughey, Peelle, Perigo, Priest, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—70.

Those who voted in the negative were Messrs. Ashby, Askren, Benz, Carlton, Compton, Cook, Davis, Fromm, Gossman, Hall, Hatfield, Hauss, Henderson, Kennedy of Union, Madden, Merri-man, McCarty, Oglebay, Paige, Rea, Reno, Spencer and Stewart—23.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 141. An act to fix the time of

holding courts in the Forty-first Judicial Circuit of the State of Indiana, repealing acts in force and declaring an emergency.

Was taken up and laid upon the table.

Engrossed Senate Bill No. 63. An act to amend an act entitled "An act to amend the charter of the Evansville and Illinois Railroad Company," approved March 4, 1853.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Benz, Branyan, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Lanham, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Pelle, Perigo, Rea, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—83.

Those who voted in the negative were Messrs. Priest and Rea—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No 124. A bill declaring it unlawful to get on or off railroad cars and engines when in motion or switching, providing penalties for violation of this act, and other matters connected therewith.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Branyan Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Conley, Cook, Cooley, Copeland, Craft, Crumppacker, Dannettell, Davis, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer,

Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Lockhart, Madden, Marsh, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Sailors, Scott, Smith, Spencer, Stewart, Swazee, Thomas, Thompson of Howard, Viehe, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—78.

Those who voted in the negative were Messrs. Reno and Riley—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 56. A bill entitled "An act to amend an act entitled an act to incorporate the Wabash Railroad Company," approved February 6, 1852.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Lanham, Lehman, Lockhart, Marsh, Mathews, Merriman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thompson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—81.

Mr. Freeman voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 113. A bill to prevent conductors of freight trains on railroads, in this State, from obstructing the

public highways, declaring such obstruction a misdemeanor, and prescribing the punishment therefor.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Benz, Branyan, Butler, Cary, Carlton, Carson, Claypool, Coffman, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Carr, Cooley, Girton, Gossman, Harper, Hubbard, Paige and Stewart—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 109. A bill to legalize the incorporation of the city of Bloomington, Monroe county, Indiana, and all official acts done by the Common Council and officers of said city.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Benz, Butler, Cary, Carr, Carson, Chawner, Claypool, Cole, Compton, Cooley, Copeland, Craft, Dannettell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Lehman, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson

of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—73.

Those who voted in the negative were Messrs. Ashby, Branyan, Carlton, Coffman, Conley, Cook, Crumpacker, Davis, Elwell, Fromm, Hatfield, Marsh, Rea, Reno, Spencer, Stewart, Warrum and Welborn—18.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 168. A bill to legalize the actions of the Board of Trustees of the German Lutheran Concordia College, at Fort Wayre, Allen county, Indiana.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Benz, Butler, Cary, Carlton, Carson, Claypool, Coffman, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—84.

Mr. Houghton voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

Engrossed Senate Bill No. 200. A bill legalizing the issue by the Board of School Trustees of the city of Logansport of certificates of indebtedness in payment of debts contracted in the erection and furnishing of school houses, giving authority to issue new certificates

in their stead, and other matters connected therewith, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Butler, Cary, Carlton, Carson, Claypool, Coffman, Compton, Conley, Cooley, Copeland, Davis, Foster of Allen, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Koontz, Langdon, Lanham, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Paige, Perigo, Rea, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Whitehead, Zehring, Zimmerman and Mr. Speaker—68.

Those who voted in the negative were Messrs. Branyan, Cook, Crumpacker, Elwell, Freeman, Fromm, Houghton, Reno, Riley, Swayzee and Wells—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 14. A bill to amend sections 2 and repeal section 39 of an act entitled "An act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, and making appropriations," approved May 13, 1869.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Baxter, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Conley, Cooley, Copeland, Crumpacker, Davis, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Koontz, Langdon, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Moorman, Morgan, Morrison, Paige, Perigo, Priest, Sailors, Scott, Smith, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—69.

Those who voted in the negative were Messrs. Austin, Branyan, Coffman, Compton, Cook, Craft, Dannettell, Grubbs, Highway, McGaughey, Oglebay, Peelle, Rea, Reno, Riley, Stewart, Swayzee and Welborn—18.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 442. A bill to fix the times of holding courts in the Tenth Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, and repealing all laws in conflict herewith and declaring an emergency.

Engrossed House Bill No. 503. A bill supplemental to an act entitled "An act providing for a general system of common schools in all cities of 30,000 or more inhabitants, and for the election of a board of school commissioners for such cities, defining their duties and prescribing their powers, and providing for common school libraries within such cities," approved March 3, 1871.

And the same are herewith returned to the House.

Engrossed Senate Bill No. 227. An act to amend section 22 of an act entitled "An act concerning enclosures, trespassing animals, and partition fences," approved June 4, 1852.

Also, Engrossed Senate Bill No. 326. An act to legalize the incorporation of the town of Waterloo, DeKalb county, Indiana, and the several additions thereto and the official acts of the several boards of trustees of said corporation, under an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, etc.

And the same are herewith submitted to the House for its action thereon.

I am also directed by the President of the Senate to inform the House of Representatives that he has signed the following acts, to-wit :

Enrolled Act No. 13, House of Representatives. An act to amend sections 19 and 20 of an act entitled, "An act defining felonies and prescribing punishment therefor," approved June 10, 1852.

Enrolled Act No. 23, House of Representatives. An act entitled "An act to amend the 27th section of an act entitled 'An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws,'" approved March 12, 1875.

Enrolled Act No. 328, House of Representatives. An act legalizing the election of officers of the town of Kentland.

Enrolled Act No. 346, House of Representatives. An act to fix the time for holding the terms of the superior court of Tippecanoe county.

Enrolled Act No. 33, House of Representatives. An act to amend section 7 of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations now in existence," approved March 11, 1875.

Enrolled Act No. 370, House of Representatives. An act to amend section 1 of an act approved February 2, 1855, entitled "An act to amend an act to revise, simplify and abridge the rules, practice, pleadings and forms," etc.

Enrolled Act No. 37, House of Representatives. An act to amend section 8 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, and prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Enrolled Act No. 333, House of Representatives. An act to authorize cities to issue bonds for the purpose of funding their indebtedness, reducing the rate of interest on pre-existing obligations, compromising with any creditor or creditors, or taking up and canceling bonds, notes, and other securities already due or which shall hereafter become due, and making it the duty of the common council of such cities to levy taxes for the payment of the interest, and to provide sinking funds for the liquidation of the principle of such bonds.

Enrolled Act No. 261, House of Representatives. An act to amend section 38 of an act entitled "An act regulating general

elections, and prescribing the duties of officers in relation thereto,' approved June 7, 1852, and declaring an emergency.

Enrolled Act No. 359, House of Representatives. An act to amend an act entitled "An act to authorize plank, macadamized and gravel road companies to consolidate their stock with other similar companies, and to assume a common name, and defining the power of such consolidated company," approved February 23, 1859.

Enrolled Act No. 350, House of Representatives. An act to establish a Superior Court in the county of Vanderburgh, defining its jurisdiction, providing for the election and compensation of the judge thereof, to abolish the Criminal Court of said county and transferring its business to the Circuit Court thereof.

And the same are herewith returned to the House.

Engrossed Senate Bill No. 45. A bill to exempt benefits, claims and interests of the wives, children and dependents of members of Masonic, Odd Fellows and other charitable societies and exempting certain claims of creditors, and designating the place where such corporations shall be sued, and providing for changing the names of payees or beneficiaries as may be agreed upon by the members of such societies or incorporations, and the societies or incorporations of which they are members.

Was read a third time, and laid upon the table.

Engrossed Senate Bill No. 29. A bill to legalize defective organizations of corporations in certain cases.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Claypool, Cole, Compton, Conley, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kimmell, Koontz, Langdon, Lanham, Leeper, Lockhart, Maden, Marsh, Mathews, Moorman, Morgan, Morrison, McCarty, Oglebay, Pelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—77.

Those who voted in the negative were Messrs. Coffman, Cook

Johnson of Dearborn, Johnson of Rush, Lanham, Merriman, Paige, Spencer, Stewart and Swazee.—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 189. A bill concerning the power of cities over harbor channels and other water thoroughfares, and docks and dock property, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Compton, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—83.

Those who voted in the negative were Messrs. Baxter and Swayzee—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Peelle entered a motion to reconsider the vote by which Senate Bill No. 113 passed the House.

Engrossed Senate Bill No 224. A bill to create the Forty-second Judicial Circuit to amend sections 3 and 4 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding

terms of court in the Second, Third and Forty-second Circuits, providing for the appointment of a judge for the Forty-second Judicial Circuit and a prosecuting attorney for the Third Judicial Circuit, and other matters connected therewith, repealing all laws in conflict therewith and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Foster of Allen, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Highway, Hismser, Houghton, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Sailors, Scott, Spencer, Stewart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring and Mr. Speaker—78.

Those who voted in the negative were Messrs. Crumpacker, Johnson of Dearborn, Mathews, Riley, Smith, Swazee, Thomas, Thompson of Elkhart, Thompson of Miami and Zimmerman—10.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills to-wit:

Engrossed House Bill No. 395. An act fixing the time of holding court in the Twenty-fifth Judicial Circuit, and the length of terms thereof, and repealing all laws in conflict therewith.

Engrossed House Bill No. 97. An act to legalize certain acts of the Board of Commissioners of Morgan county, Indiana, for the restoration and preservation of the mutilated or defaced records of the clerk and auditors office of said county, and providing that such restored records shall have the same force and effect as the original record, and declaring an emergency.

And the same are herewith returned to the House.

Also, That the Senate has passed, with certain amendments, the following bills, to-wit :

Engrossed House Bill No. 404. An act to legalize the acts of the incorporation of the town of Noblesville, Indiana.

And the same is returned to the House for its concurrence therein.

Also, that the Senate has concurred in the engrossed amendments of the House of Representatives to the following bills, to-wit :

Engrossed Senate Bill No. 107. An act providing for the protection of wild game, and defining the time in which the same may be taken or killed, and also providing for the protection of certain birds therein named, and their eggs, and prescribing the penalty for the violation of the same, and repealing all laws inconsistent therewith.

Engrossed Senate Bill No. 71. An act to give the consent of the State of Indiana to the acquirement by the United States, by purchasing or condemnation of lands within this State, required for the improvement of the Ohio and Wabash rivers, and to cede jurisdiction over the same.

Engrossed Senate Bill No. 235. An act providing for the concentration of land records in the office of the Auditor of State, and prescribing the duties of the Auditor of State in connection therewith, and the appointment of a clerk thereof, and declaring an emergency.

Was read the third time with the amendments of the House thereto.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Conley, Cook, Cooley, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Gossman, Grubbs, Guthrie, Harris, Hatfield, Hosmer, Hubbard, Johnson of Dearborn, Kennedy of Rush, Koontz, Lanham, Leeper, Lockhart, Madden, Mathews, Moorman, Morrison, McCarty, McGaughey, Peelle, Perigo, Priest, Sailors, Spencer, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Wells, Whitehead and Mr. Speaker—59.

Those who voted in the negative were Messrs. Ashby, Compton,

Hall, Hulet, Marsh, Oglebay, Paige, Rea, Reno, Riley, Scott, Smith, Stewart, Thompson of Elkhart, Warrum, Yaryan, Zehring and Zimmerman—18.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

Senate Bill No. 20. An act to establish a Superior Court in the county of Cass, defining its jurisdiction and providing for the election and compensation of the judge thereof, and other matters in connection therewith, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Branyan, Baxter, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Hatfield Highway, Houghton, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lehman, Lockhart, Madden, Marsh, Moorman, Morrison, McCarty, McGaughey, Paige, Pelle, Perigo, Reno, Riley, Sailors, Spencer, Stewart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Zehring, Zimmerman and Mr. Speaker—65.

Those who voted in the negative were Messrs. Benz, Compton, Davis, Freeman, Harris, Hauss, Hosmer, Hubbard, Johnson of Dearborn, Lanham, Leeper, Mathews, Merriman, Oglebay, Priest, Rea, Scott, Smith, Swayzee, Thompson of Elkhart, Warrum, Wells and Yaryan—23.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

Engrossed Senate Bill No. 17. An act to provide for township elections and repealing laws inconsistent therewith.

Was read the third time.

The question being, shall the bill pass?

It was so ordered.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Compton, Copeland, Davis,

Elwell, Endsley, Foster of Allen, Freeman, Fromm, Guthrie, Hall, Harris, Highway, Hosmer, Kennedy of Rush, Kimmell, Koontz, Leeper, Madden, Marsh, Oglebay, Perigo, Priest, Rea, Riley, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—51.

Those who voted in the negative were Messrs. Austin, Coffman, Cook, Cooley, Craft, Crumpacker, Dannettell, Foster of Monroe, Girton, Gossman, Grubbs, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Langdon, Lanham, Lockhart, Mathews, Meriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Peelle, Reno, Scott, Smith, Spencer, Thomson of Miami, Viehe and Yaryan—33.

So the bill was lost.

The question being, shall the title stand as read?

It was so ordered.

Engrossed Senate Bill No. 24. A bill to amend section 1 of an act entitled "An act to amend sections 207 and 208 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,' approved June 18, 1852, so as to authorize a change of venue in certain cases," approved March 5, 1859.

Was read the third time with the engrossed amendments of the House thereto.

The question being, shall the bill as amended pass?

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Coffman, Cole, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettel, Davis, Foster of Allen, Foster of Monroe, Freeman, Girton, Gossman, Grubbs, Guthrie, Hall Harris, Hauss, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Langdon, Lanham, Leeper, Lockhart, Marsh, Mathews, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Reno, Riley, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Howard, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—71.

Mr. Stewart voting in the negative.

So the bill passed.

The question being, shall the title as read stand ?

It was so ordered.

Pending Senate Bills on third reading, on motion by Mr. Austin, the House adjourned.

AFTERNOON SESSION.

SATURDAY, March 3, 1877.

The House met, with the Speaker in the chair.

By consent Mr. Cole, from the select committee appointed to confer with the Governor, submitted the following report :

MR. SPEAKER :

Your special committee to whom was referred the matter of the refusal of Governor Williams to commission the officers of the benevolent institutions recently elected in joint convention of the Senate and House of Representatives, would report that pursuant to the terms of the resolution they have interviewed Governor Williams, and learn that he refuses to commission said officers on the ground that the election was not conducted in accordance with the law.

Your committee therefore recommend that a concurrent resolution be adopted, providing that the two Houses will proceed to the election of officers of the benevolent institutions on Monday, March 5, 1877, at 10 o'clock A. M.

Resolved by the House of Representatives, the Senate concurring, That this House will on Monday, the 5th day of March, 1877 at 10 o'clock A. M., proceed to the election of one trustee of the Deaf and Dumb Asylum ; one trustee of the Blind Asylum ; and one commissioner for the Hospital for the Insane ; and one president of the Board of Trustees of the benevolent institutions.

The question being upon the adoption of the concurrent resolution, Messrs. Branyan and Spencer demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Cook, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Hall, Harris, Harper, Hauss, Highway, Hosmer, Houghton, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon,

Lanham, Leeper, Lehman, Marsh, Merriman, Moorman, Morgan, Morrison, Oglebay, Peelle, Riley, Sailors, Smith, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—58.

Those who voted in the negative were Messrs. Ashby, Askren, Branyan, Fromm, Gossman, Hatfield, Henderson, Hulet, Johnson of Carroll, Johnson of Dearborn, Mathews, McCarty, Priest, Spencer and Stewart—15.

So the resolution was adopted.

The joint committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills have made comparison of the enrolled acts with engrossed bills, and report that the following are correctly enrolled :

Enrolled Acts House of Representatives, Nos. 379, 234, 214, 37 and 34.

By consent, Mr. Hauss moved to take up House Bill No. 10, with the Senate amendments thereto.

Which was agreed to.

The bill and amendments taken up and the amendments adopted by the House.

Engrossed Senate Bill No. 177. An act providing for the election and appointment of supervisors of highways, and prescribing certain of their duties and those of county and township officers in relation thereto, and to repeal all laws inconsistent therewith.

Was read the third time.

Mr. Morgan moved the previous question.

Which was seconded, and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Collins, Conley, Cooley, Copeland, Crumpacker, Dannettell, Davis, Foster of Allen, Freeman, Fromm, Girton, Grubbs, Hall, Hatfield, Hauss, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Merriman, Moorman, Morgan, Morrison, Perigo, Riley, Sailors, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart,

Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Whitehead, Zehring, Zimmerman and Mr. Speaker—63.

Those who voted in the negative were Messrs. Adams, Ames, Carlton, Claypool, Coffman, Compton, Cook, Craft, Elwell, Foster of Monroe, Garver, Gossman, Guthrie, Harris, Harper, Henderson, Houghton, Hubbard, Kennedy of Union, Koontz, Mathews, McCarty, McGaughey, Oglebay, Paige, Peelle, Priest, Rea, Reno, Smith, Spencer, Thompson of Elkhart and Wells—33.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The joint committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your committee on enrolled bills respectfully report that they have made comparison of the enrolled acts with the engrossed bills as follows: Enrolled Acts, House of Representatives, Nos. 39, 442, 311, 551, 38 and 503, and find the same correctly enrolled.

Engrossed Senate Bill No. 201. A bill to establish a Superior Court in the county of Allen, defining its jurisdiction, providing for the appointment, election and compensation of the judge thereof, and other matters connected therewith.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Claypool, Coffman, Collins, Compton, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanhams, Lockhart, Madden, Marsh, Merriman, Moorman, Morrison, Paige, Peelle Perigo, Riley, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Whitehead, Zimmerman and Mr. Speaker—74.

Those who voted in the negative were Messrs. Carson, Crumacker, Kennedy of Union, Morgan, Priest, Rea, Reno, Smith, Stewart, Swayzee and Wells—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 98. A bill to provide for the more speedy trial of causes and facilitate the transaction of business in courts; to provide for judges to try causes and fix their compensation in certain cases therein named; to authorize adjourned terms of court and enlarge the jurisdiction in certain specific cases, repealing conflicting provisions in other acts, and declaring an emergency.

Was read a third time with the amendments of the House thereto.

By unanimous consent, Mr. Yaryan offered the following amendment to the bill:

I move to amend so as to read: "that if either party fail or refuse to strike off the names of the attorneys selected by the judge, such judge may do so for him."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crum-packer, Dannettell, Davis, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Henderson, Highway, Houghton, Hubbard, Hulet, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McGaughey, Paige, Peele, Perigo, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—77.

Those who voted in the negative were Messrs. Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, McCarty, Priest, Rea and Wells—7.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Carlton, from the committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills respectfully report, that we have compared the enrolled acts with the engrossed bills in enrolled acts House of Representatives Nos. 97, 395 and 10, and we find the same to be correctly enrolled.

Engrossed Senate Bill No. 241. A bill to amend sections 1 and 13 of an act entitled "An act to establish Superior Courts, defining their jurisdiction and providing for the election and compensation of the judges thereof," approved February 15, 1871, and supplemental thereto.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Benz, Bumgarner, Cary, Carlton, Claypool, Cole, Collins, Copeland, Craft, Crumpacker, Dannettell, Davis, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Houghton, Hubbard, Hulet, Langdon, Lanham, Lehman, Madden, Moorman, Morgan, Morrison, McGaughey, Paige, Peelle, Priest, Thomas, Thomson of Miami, Welborn, Whitehead and Mr. Speaker—51.

Those who voted in the negative were Messrs. Branyan, Butler, Chawner, Coffman, Conley, Cook, Cooley, Elwell, Johnson of Carroll, Kennedy of Union, Leeper, Merriman, McCarty, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Warrum, Yaryan, Zehring and Zimmerman—26.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

On motion by Mr. Garver, the House concurred in the Senate amendments to House Bill No. 404.

Engrossed Senate Bill No. 320. A bill revoking conditions of the Board of Township Trustees of Ross township, Clinton county, Indiana, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames,

Askren, Austin, Baxter, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Davis, Freeman, Girton, Gossman, Grubbs, Hall, Harris, Hatfield, Hauss, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Lanham, Lehman, Madden, Merri- man, Morgan, McGaughey, Paige, Peelle, Riley, Stewart, Thomp- son of Elkhart, Thomson of Miami, Zehring, Zimmerman and Mr. Speaker—48.

Those who voted in the negative were Messrs. Branyan, Carr, Dannettell, Elwell, Endsley, Fromm, Garver, Guthrie, Harper, Houghton, Kennedy of Rush, Kennedy of Union, Lockhart, Marsh, Mathews, Moorman, Morrison, McCarty, Oglebay, Perigo, Rea, Reno, Scott, Smith, Swayzee, Thomas, Warrum, Welborn, Wells and Whitehead—30.

So the bill failed for want of a constitutional majority.

Engrossed Senate Bill No. 296. A bill to authorize township trustees to issue and sell bonds, in certain cases, for the purpose of providing funds to build school houses in unincorporated towns, and providing under what conditions said trustee may issue and sell such bonds, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Chawner, Claypool, Coffman, Cole, Collins, Conley, Cooley, Cope- land, Craft, Dannettell, Foster of Allen, Foster of Monroe, Fromm, Gossman, Grubbs, Harper, Henderson, Highway, Houghton, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lehman, Lockhart, Moorman, Marsh, McGaughey, Peelle, Perigo, Sailors, Scott, Smith, Swayzee, Thomas, Thomson of Miami, Wells, Whitehead, Zimmerman and Mr. Speaker—51.

Those who voted in the negative were Messrs. Ashby, Carr, Cook, Davis, Elwell, Endsley, Guthrie, Harris, Hatfield, Hauss, Hosmer, Johnson of Carroll, Johnson of Dearborn, Lanham, Madden, Mer- riman, Morgan, Morrison, McCarty, Oglebay, Rea, Reno, Riley, Stewart, Thompson of Elkhart, Viehe, Yaryan and Zehring—29.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed Senate Bill No. 323. A bill to fix the time of

holding Circuit Courts in the Fourth Judicial Circuit, and to repeal all laws in conflict with the act, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in affirmative were Messrs. Adams, Albert, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carr, Chawner, Claypool, Coffman, Cole, Collins, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Lanham, Lehman, Lockhart, Marsh, Merriman, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—72.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate Bill No. 237. A bill providing for the punishment of persons in the possession of stolen property in this State, having stolen the same in another State or territory of the United States or in any foreign country, and for the punishment of receivers of stolen property in certain cases.

Was read a third time, and on motion by Mr. Yaryan, laid upon the table.

Engrossed Senate Bill No. 85. A bill to amend section 250 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Branyan, Butler, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook,

Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Peelle, Rea, Riley, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Viehe, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—73.

Those who voted in the negative were Messrs. Askren, Benz, Gossman, Oglebay, Reno, Warrum and Wells—7.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

Engrossed Senate Bill No. 106. A bill supplemental to an act entitled "An act to provide for the periodical enumeration of the white male inhabitants of this State, over the age of twenty-one years, to prescribe the duties and fix the compensation of officers in relation thereto, and also to prescribe the penalties for the violation of official duty in connection with said enumerations, as well as the manner in and the courts by which said penalties shall be enforced," approved December 21, 1865, and to provide for the enumeration of the colored male inhabitants of this State over the age of twenty-one years, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert Ames, Ashby, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Grubbs, Guthrie, Hall, Harper, Hatfield, Harris, Highway, Hubbard, Hulet, Kennedy of Rush, Dennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Matthews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Peelle, Perigo, Riley, Scott, Smith, Stewart, Swazee, Thompson of Elkhart, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—68.

Those who voted in the negative were Messrs. Askren Austin,

Benz, Compton, Conley, Cooley, Fromm, Gossman, Hosmer, Johnson of Carroll, Johnson of Dearborn, Rea, Reno and Spencer—15.

So the bill passed.

The question being, shall the title of the bill stand as read?

It was so ordered.

Engrossed Senate Bill No. 140. A bill to fix the time of holding courts in the Twelfth Judicial Circuit.

Was read the third time.

The question being, shall the bill pass?

By consent Mr. Viehe moved the following amendment to Senate Bill No. 140:

I move to amend the bill as follows: On page 1, line 9, strike out the word "fifth" and insert in lieu thereof the word "first."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harper, Hauss, Highway, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Pelle, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker--74.

No member voted in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Craft called up his motion to reconsider the vote by which House Bill No. 43 was lost.

The motion to reconsider was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis,

Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Henderson, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Lockhart, Madden, Mathews, Moorman, McGaughey, Oglebay, Paige, Peelle, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—73.

Those who voted in the negative were Messrs. Austin, Craft, Foster of Allen, Freeman, Hauss, Lanham, Marsh, Merriman, Morgan, Morrison, Perigo, Rea, Reno and Stewart—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker called for reports from committees :

Mr. Hall, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads, to whom was referred Senate Bill No. 199, entitled "An act extending the time for the completion of railroads in all cases where townships have made, or may hereafter make, an appropriation of money to aid any railroad company in constructing its road, have had the same under consideration and have directed me to report the same back with the recommendation that the same do pass.

The report was concurred in, and by consent, the bill being Engrossed Senate Bill No. 199, a bill extending the time for the completion of railroads in all cases where townships have made or may hereafter make an appropriation of money to aid any railroad company in constructing its road.

Was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Cook, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Hall, Harris, Harper, Hauss, Henderson, Highway,

Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McGaughey, Paige, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Thomas, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the affirmative were Messrs. Ashby, Coffman, Hatfield, Hosmer, Houghton, Oglebay, Peelle, Stewart, Swayzee and Thompson of Elkhart—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Compton, from the committee on railroads, submitted the following report :

MR. SPEAKER :

Your committee on railroads, to which was referred Senate Bill No. 208. A bill to amend sections 1 and 2 of an act entitled, "An act to declare abandoned certain unfinished railroads and to provide for their completion ; to declare forfeited the franchises of certain railroad companies and for the assessment of the value thereof; for the organization of new railroad companies and for making annual statements," approved March 11, 1867, and declaring an emergency, have had the same under consideration, and a majority of said committee have directed me to report the same back, with the recommendation that the same do pass.

Mr. Hall, from the same committee, submitted the following minority report :

MR. SPEAKER :

The undersigned, a minority of the committee on railroads, dissent from the action of the majority of said committee on Senate Bill No. 208, and begs leave to recommend that said bill do lie on the table.

Mr. Moorman moved the previous question.

Which was seconded by the House and the main question ordered, being upon the adoption of the minority report.

The minority report was not adopted, and the majority report was then concurred in.

By consent, the bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carson, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Guthrie, Harper, Hatfield, Highway, Hosmer, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Lanhams, Leeper, Lehman, Lockhart, Madden, Marsh, Merriman, Moorman, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Sailors, Scott, Spencer, Thomas, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring and Mr. Speaker—68.

Those who voted in the negative were Messrs. Ashby, Butler, Claypool, Hall, Morgan, Riley, Smith, Stewart, Swayzee, Yaryan and Zimmerman—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Chawner, from the committee on education, submitted the following report :

MR. SPEAKER :

Your committee on education, to whom was referred Senate Bill No. 61, being a bill to amend section 3 of an act entitled "An act to render taxation for common school purposes uniform, and to provide for the education of the colored children of the State," approved May 13, 1869, report that they have had the same under consideration, and a majority of said committee recommend that the bill do pass.

Mr. Johnson of Carroll, from the same committee, submitted the following minority report :

MR. SPEAKER :

We, a minority of your committee on education, ask leave to make an adverse report upon Senate Bill No. 61, and we hereby recommend that the same be laid upon the table.

Mr. Grubbs moved to lay the minority report upon the table.

The ayes and noes were demanded by Messrs. Johnson of Carroll and Hatfield.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson,

Chawner, Claypool, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Leeper, Madden, Mathews, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Warrum, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—56.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Benz, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Freeman, Fromm, Girton, Gossman, Hatfield, Hauss, Hosmer, Houghton, Hulet, Johnson of Carroll, Lanham, Lehman, Marsh, Merriman, Perigo, Rea, Reno, Spencer, Welborn and Wells—31.

So the minority report was laid upon the table.

The majority report was then concurred in, and, by consent, the bill was taken up and read the third time.

Engrossed Senate Bill No. 61. A bill to amend section 3 of an act entitled "An act to render taxation for common school purposes uniform, and to provide for the education of colored children of the State, approved May 13, 1869.

The question being, shall the bill pass.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lockhart, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Warrum, Welborn, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—64.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Benz, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Gossman, Hatfield, Henderson, Hosmer, Houghton, Hulet, Johnson of Carroll, Lehman, Marsh, Perigo, Rea, Reno, Spencer and Wells—28.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Lanham, from the committee on elections, submitted the following report :

MR. SPEAKER :

Your committee to which was referred Senate Joint Resolutions Nos. 1, 2 and 3, have had the same under consideration, and report the same back to the House with the recommendation that they do pass.

The report was concurred in.

Senate Joint Resolution No. 2. A joint resolution proposing amendment to section 5 of article 2 of the constitution.

Was read.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Cook, Cooley, Copeland, Craft, Cumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girtton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—78.

Those who voted in the negative were Messrs. Johnson of Carroll and Reno—2.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution.

It was so ordered.

Mr. Branyan, from the committee on organization of courts, submitted the following report :

MR. SPEAKER :

Your committee on organization of courts, to whom was referred Engrossed Senate Bill No. 46, being a bill for an act to amend section 315 of an act to revise, simplify and abridge the rules, practice, etc., have had the same under consideration, and the majority

of said committee have directed me to report the same back to the House, with the recommendation that the same do pass.

The report was concurred in, and the bill being a bill to amend section 315 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, as amended by an act entitled "An act to amend section 315 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,'" approved March 9, 1861.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Claypool, Coffman, Cole, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, From, Garver, Girton, Grubbs, Guthrie, Harris, Harper, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Moorman, Morgan, Morrison, Paige, Peelle, Perigo, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Whitehead and Zimmerman—64.

Those who voted in the negative were Messrs. Carson, Hall, Henderson, Oglebay, Rea, Reno, Riley, Smith, Stewart, Wells, Yaryan and Mr. Speaker—12.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kenneddy of Rush, from the committee on ways and means, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred Engrossed Senate Bill No. 210, being "An act exempting certain lands therein described from

taxation for general city or town purposes," have had the same under consideration, and have directed me to report it back to the House with the recommendation that it pass.

Which report was concurred in, and by consent the bill being, a bill exempting certain lands from taxation for general city or town purposes, was taken up and read the third time, and on motion by Mr. Adams laid upon the table.

Pending the call of committees for reports, on motion by Mr. Freeman the House adjourned until 7 o'clock P. M.

EVENING SESSION,

SATURDAY, MARCH 3, 1877.

The House met, with the Speaker in the chair.

By consent Senate Bill No. 326 being entitled,

Engrossed Senate Bill No. 326. A bill to legalize the incorporation of the town of Waterloo, DeKalb county, Indiana, and the several additions thereto, and the official acts of the several boards of trustees of said said corporation under "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, and by-laws, ordinances, rules, regulations and proceedings adopted in pursuance thereof.

Which was read a first time.

Mr. Madden moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections and put upon its passage.

Upon which motion the ayes and noes being taken under the constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Gossman, Hall, Harper, Hauss, Highway, Hosmer, Houghton, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Koontz, Lanham, Little, Lockhart, Madden, Marsh, Merriman, Moorman,

Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Smith, Stewart, Thomas, Thompson of Elkhart, Viehe, Warrum, Whitehead, Zehring and Mr. Speaker—67.

No member voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title.

Engrossed Senate Bill No. 326. A bill to legalize the incorporation of the town of Waterloo, Dekalb county, Indiana, and the several additions thereto, and the official acts of the several boards of trustees of said corporation, under "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, and by-laws, ordinances, rules, regulations and proceedings adopted in pursuance thereof.

Was then read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Gossman, Hall, Harper, Hauss, Henderson, Highway, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Little, Lockhart, Madden, Merriman, Moorman, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Scott, Stewart, Thomas, Thompson of Elkhart, Viehe Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—73.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Carlton, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER:

Your committee on enrolled bills respectfully report, that they have compared Enrolled Act No. 404, House of Representatives, with the engrossed bill, and find the same correctly enrolled.

On motion by Mr. Zehring the motion entered to reconsider the

vote on Senate Bill No. 113 was taken up, and on Mr. Zehring's motion laid upon the table.

Mr. Hall entered a motion to reconsider the vote by which Senate Bill No. 177 was passed.

Mr. Hall offered the following resolution :

Resolved, That the Senate be requested to return to the House Senate Bill No. 177, for reconsideration.

Mr. Morgan moved to lay the resolution on the table.

Which was not agreed to, and the resolution was adopted.

By unanimous consent.

Engrossed House Bill No. 182. A bill to require railroads to appoint an agent in each county in this State, through which the same may run, on whom service of process may be made, and providing for the mode of trial and punishment of the same for failing to appoint such agents.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Branyan, Butler, Cary, Carlton, Chawner, Claypool, Coffman, Conley, Cooley, Copeland, Craft, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Harris, Harper, Henderson, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Riley, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—64.

Those who voted in the negative were Messrs. Benz, Bumgarner, Carr, Compton, Cook, Davis, Fromm, Hauss, Houghton, Marsh, Mathews, Morrison, Paige, Rea, Reno and Viehe—16.

So the bill passed.

The question being, shall the title of the bill stand as read?

It was so ordered.

By unanimous consent, Engrossed Senate Bill No. 548, a bill to amend section 5 of an act to amend an act entitled "An act to divide the State into circuits for judicial purposes fixing the time of holding courts therein, abolishing the courts of common pleas and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in

certain cases, approved March 6, 1873, and creating the Thirty-ninth Judicial Circuit, providing for the appointment of a judge thereof, and repealing all laws and parts of laws inconsistent herewith, and declaring an emergency," approved March 5, 1875, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harper, Hauss, Henderson, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, Oglebay, Paige, Perigo, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Viehe, Warrum, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—74.

Mr. Rea voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Craft moved to reconsider the vote by which House Bill No. 553 was lost.

Which was agreed to, and on Mr. Craft's motion the vote by which the bill was ordered to a third reading was reconsidered and the bill recommitted to the committee on ways and means.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that he has signed the following enrolled acts to-wit:

Enrolled Act No. 404, House of Representatives.

And the same is returned to the House.

Also, Enrolled Senate Acts Nos. 189, 29, 109 and 20.

I am also directed by the Senate to submit to the House for the signature of the Speaker thereof, the following acts to-wit:

Enroled Senate Acts Nos. 124, 24, 235 and 168.

And the same are herewith submitted.

I am also directed to inform the House that the Senate has concurred in engrossed amendments of the House of Representatives to Engrossed Senate Bill No. 98.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that he has signed Enrolled House Acts as follows, to-wit:

Enrolled Acts, Nos. 39, 214, 234, 395, 379, 34, 551, 503, 38, 311, 442, 39, 97, 10.

And the same are herewith returned to the House.

I am also directed by the Senate to submit to the House of Representatives for the signature of the Speaker thereof, the following Acts, to wit:

Engrossed Senate Act No. 109. An act to legalize the incorporation of the city of Bloomington, Monroe county, Indiana, and all official acts done by the common council and officers of said city.

Enrolled Senate Act No. 29. An act to legalize defective organizations of corporations in certain cases.

Enrolled Senate Act No. 20. An act to establish a Superior Court in the county of Cass, etc.

Enrolled Senate Act No. 189. An act concerning the power of cities over harbor channels and other water thoroughfares and other docks and dock property, and declaring an emergency.

And the same are herewith submitted.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred House Bill No. 41, introduced by Mr. Givan, being an amendment of the bastardy act, have had the same under consideration, and have directed me to report the same back with the recommendation that it do pass.

Which report was concurred in.

By consent, the bill being entitled, "A bill to amend section 15 of an act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852.

Was taken up and read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames,

Ashby, Askren, Austin, Baxter, Benz, Branyan, Butler, Carlton, Carson, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Gossman, Grubbs, Guthrie, Harris, Harper, Hauss, Henderson, Highway, Houghton, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lehman, Little, Lockhart, Marsh, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Rea, Reno, Riley, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring and Mr. Zimmerman—68.

Those who voted in the negative were Messrs. Bumgarner and Mr. Speaker.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Hubbard, from the committee on fees and salaries, submitted the following report:

MR. SPEAKER:

Your committee on fees and salaries, to which was referred Senate bill No. 195, has had the same under consideration, and directed me to report the same back to the House, with the recommendation that it do pass.

The report was concurred in, and engrossed Senate Bill No. 195, a bill amending section forty-eight of an act entitled "An act fixing fees, salaries, duties, and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875, was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Benz, Branyan, Cary, Carson, Claypool, Coffin, Collins, Compton, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Foster of Allen, Freeman, Garver, Girton, Gossman, Guthrie, Harris, Harper, Hauss, Henderson, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Koontz, Lanham, Lehman, Little, Lockhart, Marsh, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Paige, Reno, Scott, Smith, Stewart,

Thompson of Elkhart, Warrum, Wells, Whitehead and Mr. Speaker—59.

Those who voted in the negative were Messrs. Ashby, Bumgarner, Butler, Fromm, Grubbs, Hall, Johnson of Dearborn, Kimmell, Merriman, Oglebay, Peelle, Rea, Riley, Thomas, Viehe, Zehring and Zimmerman—17.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

Senate Bill No. 390, which had previously failed for want of a constitutional majority, was called up by Mr. Paige:

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Benz, Bumgarner, Butler, Cary, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Scott, Spencer, Stewart, Thompson of Elkhart, Viehe, Warrum, Welborn, Whitehead, Zehring, Zimmerman and Mr. Speaker—68.

Those voting in the negative were Messrs. Elwell, Fromm, Harper, Marsh, Smith, Swayzee and Wells—7.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

Mr. Morgan, from the committee on rights and privileges submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges, to which was referred Senate Bill No. 57, entitled "An act to discourage the keeping of sheep-killing dogs, licensing them, etc.," have had the same under consideration, and have directed me to report the same back, with the recommendation that the same do pass.

The report was concurred in, and by consent, Engrossed Senate Bill No. 57, a bill to discourage the keeping of sheep-killing dogs,

providing for the licensing and registration of dogs, and prescribing penalties for the violation of the provisions of this act by officers and others, creating a fund for the payment of damages to owners of sheep maimed or killed by dogs, repealing all conflicting laws, and declaring an emergency, was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Benz, Branyan, Carey, Carson, Chawner, Compton, Conley, Davis, Foster of Monroe, Fromm, Hall, Harper, Houghton, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Little, Lockhart, Marsh, Mathews, Moorman, Morgan, McCarty, Smith, Swayzee, Thomas, Thomson of Miami, Viehe, Wells and Zimmerman—34.

Those who voted in the negative were Messrs. Albert, Askren, Austin, Bumgarner, Butler, Carlton, Carr, Coffman, Collins, Cook, Cooley, Copeland, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Freeman, Girton, Gossman, Grubbs, Guthrie, Harris, Hauss, Henderson, Highway, Hosmer, Koontz, Lanham, Lehman, Madden, Merriman, Morrison, McGaughey, Oglebay, Peelle, Perigo, Rea, Reno, Riley, Scott, Spencer, Stewart, Thompson of Elkhart, Warrum, Welborn, Whitehead, Zehring and Mr. Speaker—49.

So the bill was lost.

Mr. Moorman, from the committee on temperance, submitted the following report :

MR. SPEAKER :

A majority of your committee on temperance having examined Senate Bill No. 89, beg leave to report said bill back, and recommend its passage.

Mr. Leeper moved that the bill be laid upon the table.

The ayes and noes were demanded by Messrs. Moorman and Leeper.

Those who voted in the affirmative were Messrs. Albert, Ames, Askren, Austin, Branyan, Bumgarner, Coffman, Conley, Cooley, Dannettell, Davis, Foster of Allen, Girton, Gossman, Hosmer, Houghton, Johnson of Dearborn, Leeper, Lehman, Madden, Paige, Perigo, Rea, Reno, Spencer, Stewart, Thomas, Welborn and Whitehead—29.

Those who voted in the negative were Messrs. Adams, Baxter,

Benz, Butler, Cary, Carr, Carson, Chawner, Claypool, Compton, Cook, Copeland, Craft, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Henderson, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Little, Lockhart, Marsh,, Mathews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Peelle, Riley, Scott, Smith, Swayzee, Thompson of Elkhart, Thomson of Miami, Warrum, Wells, Zehring, Zimmerman and Mr. Speaker—55.

So the motion to lay the bill on the table did not prevail.

The bill being entitled Engrossed Senate Bill No. 89, "A bill to prohibit the sale of spirituous, vinous, and malt and other intoxicating liquors on Sunday, or upon the fourth day of July, the first day of January, the twenty-fifth day of December, commonly called Christmas, or Thanksgiving day, or upon the day of any State, county, township, primary or municipal election, and to prohibit the sale of such liquors on any of said days by any druggist or druggist's clerk, except as in cases therein prescribed, declaring the violation thereof a misdemeanor, and prescribing the penalty therefor," was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Cole, Collins, Cook, Copeland, Craft, Crumpacker, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, Oglebay, Peelle, Riley, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Warrum, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—57.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Benz, Carlton, Coffman, Conley, Cooley, Dannettell, Davis, Fromm, Girton, Gossman, Henderson, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, McCarty, Paige, Perigo, Rea, Reno, Spencer, Stewart, Welborn and Whitehead—31.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives, for the signature of the Speaker thereof, the following acts, to-wit : Enrolled Acts Senate of Indiana, Nos. 113 and 224.

And the same are herewith submitted.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred Senate Bill No. 203, have had the same under consideration, and recommend its passage.

The report was concurred in.

Engrossed Senate Bill No. 203. An act to require officers of corporations formed to construct gravel, plank or macadamized roads on abandoned roads, to make reports to the board of commissioners in the county in which such roads are situate, to regulate tolls on such roads, and to provide that the surplus earnings of such roads shall be expended in the improvement and repair of such roads.

Was read the third time.

Mr. Foster of Allen demanded the previous question.

Which was seconded by the House, and the main question ordered being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Austin, Benz, Branyan, Butler, Carr, Chawner, Coffman, Cook, Cooley, Elwell, Foster of Monroe, Freeman, Fromm, Garver, Guthrie, Hall, Harper, Highway, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Langdon, Leeper, Little, Morgan, McGaughey, Peelle, Rea, Thomson of Miami, Viehe, Warrum, Whitehead and Mr. Speaker—38.

Those who voted in the negative were Messrs. Askren, Baxter, Bumgarner, Cary, Claypool, Cole, Collins, Compton, Conley, Cope-land, Craft, Crumpacker, Dannettell, Foster of Allen, Girton, Grubbs, Harris, Hauss, Henderson, Houghton, Johnson of Carroll, Kimmell, Koontz, Lanham, Lehman, Lockhart, Marsh, Mathews, Merriman, Moorman, Morrison, McCarty, Paige, Perigo, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Welborn, Wells and Zehring—43.

So the bill was lost.

Mr. Garver, from the committee on judiciary, to which was referred Senate Bill No. 108, entitled, "An act to amend section 3 of an act entitled, 'An act to amend sections 65 and 66 of an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and heirs thereto, and certain forms to be used in such settlement,'" approved June 17, 1852, and supplemental thereto, approved February 20, 1865, submitted the report that they have had the same under consideration and directed him to report the same back to the House, with the recommendation that it do pass.

The report was concurred in.

And by consent, Engrossed Senate Bill No. 108, a bill to amend section 3 of an act entitled, "An act to amend sections 65 and 66 of an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and heirs thereto, and certain forms to be used in such settlements," approved June 17, 1852, and supplemental thereto, approved February 20, 1855.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Askren, Austin, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harper, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Koontz, Langdon, Lanham, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peelle, Rea, Reno, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zimmerman and Mr. Speaker—78.

Those who voted in the negative were Messrs. Baxter, Cook, Riley and Yaryan—4.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives for the signature of the Speaker thereof, the following acts, to-wit :

Enrolled Senate Acts Nos. 56, 85 and 17.

Also, Enrolled Joint Resolution No. 2.

I am also directed by the President of the Senate to inform the House of Representatives that he has signed the following acts, to-wit :

Enrolled Senate Acts Nos. 168, 224, 113, 24, 124 and 235.

Mr. Morgan, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred Senate Bill No. 65, entitled "An act for the organization of camp-meeting associations," etc., have had the same under consideration, have directed me to report the same back to the House, with the recommendation that it do pass.

The report was concurred in.

By consent, Engrossed Senate Bill No. 65. A bill for the organization of camp-meeting associations, and providing for the government and management thereof.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ashby, Baxter, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Cook, Cooley, Copeland, Crumpacker, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Highway, Hubbard, Johnson of Carroll, Koontz, Langdon, Lanham, Little, Lockhart, Madden, Merriman, Moorman, Morgan, Morrison, Oglebay, Paige, Peelle, Scott, Smith, Swayzee, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—56.

Those who voted in the negative were Messrs. Adams, Ames, Asken, Benz, Bumgarner, Collins, Conley, Craft, Dannettell, Gossman, Henderson, Hosmer, Johnson of Dearborn, Marsh, Mathews,

McCarty, Perigo, Rea, Reno, Riley, Stewart, Thomas and Welborn—23.

So the bill passed.

The question being, shall the title stand as read.

It was so ordered.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report:

MR. SPEAKER:

Your committee on cities and towns, to whom was referred Senate Bill No. 99, have had the same under consideration and have directed me to recommend that it do lie on the table.

The report was concurred in and the bill laid upon the table.

Mr. Viehe, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred Senate Bill No. 52, have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that it do pass.

Which report was concurred in.

Engrossed Senate Bill No. 52. A bill to provide for giving notices of pending suits, attachments, levies and liens, affecting real estate in certain cases.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Baxter, Branyan, Bumgarner, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Craft, Crumpacker, Elwell, Foster of Monroe, Fromm, Garver, Gossman, Grubbs, Harris, Hauss, Henderson, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Langdon, Lanham, Lockhart, Mathews, Merriman, Moorman, Morrison, McCarty, Oglebay, Peelle, Perigo, Scott, Smith, Swayzee, Thompson of Elkhart, Thomson of Miami, Wells, Whitehead and Mr. Speaker—48.

Those who voted in the negative were Messrs. Ashby, Askren, Benz, Conley, Cook, Cooley, Girton, Hall, Harper, Johnson of Dearborn, Kimmell, Little, Marsh, Morgan, Paige, Rea, Reno, Riley, Stewart, Viehe, Warrum, Yaryan, Zehring and Zimmerman—23.

So the bill failed for want of a constitutional majority.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives, for the signature of the Speaker thereof, Enrolled Senate Act No. 14, and the same is herewith submitted.

The Speaker directed a call of the House.

Those who responded to the call were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Paige, Peele, Perigo, Rea, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—88.

By consent, further proceedings under the call was dispensed with.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed to inform the House that the Senate has passed House Bill 550, with certain amendments, and the same is herewith submitted to the House for its concurrence therein.

Mr. ———, from the committee on rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges have had under consideration Senate bill No. 93, "An act to establish a board of health," and a majority recommend that it be indefinitely postponed.

Mr. Morrison, from the same committee, submitted the following minority report :

MR. SPEAKER :

Your committee to which was referred Senate Bill No. 93, "An act to establish a board of health, to provide a superintendent of vital statistics, prescribe certain duties of local boards of health, etc.," have had the same under consideration, and a minority of the committee beg leave to recommend that the bill do pass.

Mr. Viehe moved to lay the bill and both reports upon the table, upon which motion Messrs. Freeman and Marsh demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Butler, Carlton, Carr, Carson, Conley, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Leeper, Little, Lockhart, Madden, Merriman, Moorman, Morgan, Oglebay, Paige, Perigo, Rea, Reno, Riley, Scott, Stewart, Thomas, Thompson of Elkhart, Viehe, Warrum, Whitehead and Zehring—54.

Those who voted in the negative were Messrs. Albert, Austin, Baxter, Benz, Branyan, Cary, Chawner, Claypool, Coffman, Cole, Collins, Compton, Cook, Craft, Freeman, Johnson of Carroll, Kimmell, Langdon, Lanham, Lehman, Marsh, Mathews, Morrison, McCarty, Peelle, Smith, Spencer, Swazee, Wells, Zimmerman and Mr. Speaker—31.

So the motion to lay the bill and reports upon the table prevailed.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendments of the House to Engrossed Senate Bill No. 140.

Mr. Baxter, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred Engrossed Senate Bill No. 131, entitled "An act to preserve documentary evidence on the files of the courts of this State, and prohibiting the

entry of judgment on written evidences of debt until the original shall be filed with the clerk, have had the same under consideration and have directed me to report it back with the recommendation that it do pass.

Which report was concurred in, and the bill read the third time, and

On motion, by Mr. Compton, laid upon the table.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill, to wit :

Engrossed House Bill No. 548.

And the same is herewith returned to the House.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred Engrossed Senate Bill No. 62, by Mr. Taylor, to enable married women, whose husbands are insane or of unsound minds, to sell real estate, have had the same under consideration, and have directed me to report the same back, with the recommendation that it pass.

Which report was concurred in.

By consent, Engrossed Senate Bill No. 62, a bill to enable married women, whose husbands are insane or of unsound minds, to sell and convey real estate belonging to such married women.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Branyan, Butler, Cary, Carr, Carson, Chawner, Cole, Collins, Copeland, Dannettell, Davis, Elwell, Foster of Monroe, Hall, Harper, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Merriman, Moorman, Morgan, Morrison, McGaughey, Oglebay, Peelle, Perigo, Riley, Scott, Smith, Swayzee, Thomas, Welborn, Wells, Whitehead Zimmerman and Mr. Speaker—51.

Those who voted in the negative were Messrs. Ashby, Benz, Bumgarner, Claypool, Coffman, Conley, Cook, Cooley, Crumpacker,

Freeman, Fromm, Gossman, Harris, Houghton, Johnson of Dearborn, Madden, Mathews, McCarty, Paige, Rea, Reno, Stewart, Thompson of Elkhart, Warrum, Yaryan and Zehring—26.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

By consent, Mr. Peeelle offered the following resolution :

WHEREAS, This House did, on the 28th day of February, 1877, pass House Bill No. 417, being a bill entitled "A bill to authorize the organization of clubs, to establish libraries and reading rooms in the several counties of this State, and to authorize such clubs to erect and maintain gymnasiums and such other entertainments as they may think proper."

AND WHEREAS, The said bill is now pending in the Senate ;

AND WHEREAS, We believe that if said bill should become a law it would open the door for immoralities ; therefore,

Be it resolved, That we respectfully request the Senate to reject said bill.

Be it further resolved, That the Clerk of this House be instructed to wait upon the Senate and request that said bill be returned to this House.

The resolution was adopted.

Mr. Baxter, from the committee on judiciary, submitted the following report:

MR. SPEAKER :

Your committee on judiciary, to whom was referred engrossed Senate resolution, being a joint resolution proposing an amendment to clause 4 of the Constitution of Indiana, have had the same under consideration, and have directed me to report the same back, with the recommendation that it be adopted.

The report was concurred in.

Engrossed Senate Joint Resolution No. 5, being a joint resolution proposing amendment to clause 14, section 22, of article 4 of the Constitution.

Which was read and laid upon the table.

Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER :

Your committee on judiciary, to whom was referred Senate Bill

No. 182, by Mr. Majors, have had the same under consideration, and directed me to report the same back with the following amendments:

1. That all of that part of section 1, beginning with the words, "June 17, 1852," in line 10, be struck out, and the words, "the above entitled act," be inserted.

2. That all that part of section 2, beginning with the words "an act," in line 2 in said section, and including the words, "June 17, 1852, be struck out and the words, "the above entitled act," be inserted.

3. That all that part of section 3, beginning with the words, "an act," in line 2 of section 3, and including the words, "June 17, 1852," be struck out and the words, "the above entitled act," be inserted.

And when so amended that it pass.

The report was concurred in and the amendments adopted, the bill being

Engrossed Senate Bill No. 182. A bill to amend sections 95, 96 and 97 of an act entitled an act providing for the settlement of decedent's estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement, approved June 17, 1852, and to legalize sales of real estate heretofore made by foreign administrators."

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Chawner, Claypool, Cole, Collins, Compton, Conley Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Hall, Harris, Harper, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Morrison, McCarty, McGaughey, Oglebay, Paige, Pelle, Perigo, Rea, Reno, Scott, Smith, Swayzee, Thompson of Elkhart, Viehe, Warrum, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—65.

Those who voted in the negative were Messrs. Ashby and Stewart—2.

So the bill passed.

The question being, shall the title as read stand ?

It was so ordered.

Mr. Garver, from the committee on judiciary submitted the following report :

MR. SPEAKER :

The committee on judiciary. to which was referred Senate Bill No. 13, have had the same under consideration, and directed me to report the same back to the House, with the recommendation that it do pass.

The report was concurred in, and by consent, engrossed Senate Bill No. 13, a bill to require surviving partners to file inventories and appraisements in the office of the clerk of the court having probate jurisdiction, and to report liabilities of the firm ; requiring surviving partners to file bond ; providing for the appointment of receivers in certain cases, and repealing an act entitled " An act to require surviving partners to file inventories and appraisements in the office of the clerk of the court of common pleas, and to report the liabilities of the firm," approved March 5, 1859. Was read the third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Butler, Carlton, Chawner, Coffman, Collins, Compton, Conley, Cook, Cooley, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Madden, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand ?

It was so ordered.

Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred Senate Bill

No. 77, introduced by Mr. Givan, to amend the law regulating marriages and enforcing the provisions thereof, have had the same under consideration, and have directed me to report the same back with the recommendation that it do pass.

The report was concurred in, and by consent Engrossed Senate Bill No. 77, a bill to amend section 1 of an act entitled, "A law regulating marriages and enforcing the provisions thereof by proper penalties," approved March 5, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan Bumgarner, Butler, Cary, Carson, Chawner, Claypool, Coffman, Compton, Conley, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Gossman, Grubbs, Harris, Harper, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Lanham, Lockhart, Madden, Mathews, Moorman, Morgan, Morrison, McCarty, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Scott, Smith, Stewart, Swazee, Thompson of Elkhart, Viehe, Warrum, Wells, Zehring, Zimmerman and Mr. Speaker—65.

Those who voted in the negative were Messrs. Cook, Freeman, Leeper and Little—4.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Peelle, from the committee on the organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on the organization of courts, to which was referred House Bill No. 429, introduced by Mr. Adams, being a bill entitled "An act to amend section 13 of an act entitled 'An act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases'" have had the same under consideration, and the committee have directed me to report the same back to the House with the recommendation that the same do lie upon the table.

The report was concurred in, and the bill laid upon the table.

By consent, Engrossed Senate Bill No. 266, a bill to amend the one hundred and eightieth section of an act entitled "An act to

provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.

Was read the first time.

Mr. Grubbs moved that the constitutional rule be suspended, the bill read the second time by title, the third time by sections, and put upon its passage.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Compton, Conley, Craft, Crumpacker, Dannettell, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Highway, Houghton, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Lockhart, Madden, Mathews, Merri- man, Moorman, Morrison, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Miami, Viehe, Warrum, Wel- born, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker —69.

Those who voted in the negative were Messrs. Austin, Benz, Coffman, Davis, Henderson, Hosmer, Lehman, Little and Rea—9.

So the constitutional rule was suspended.

Engrossed Senate Bill No. 266 was read a second time.

Engrossed Senate Bill No. 266. A bill to amend section 180 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," ap- proved December 21, 1872.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Butler, Cary, Carr, Chawner, Cole, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hub- bard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Math- ews, Merriman, Moorman, Morgan, Morrison, McCarty, McGaughey, Oglebay, Peelle, Perigo, Rea, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of

Howard, Viehe, Welborn, Wells, Whitehead, Zehring and Mr. Speaker—76.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

By consent Engrossed House Bill No. 486, a bill providing for the distribution of any and all unemployed funds that may now be or may hereafter come into the State treasury, and which are not otherwise provided for by law, was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Chawner, Claypool, Cole, Collins, Compton, Conley, Dannettell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hauss, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Langdon, Little, Lockhart, Madden, Matthews Moorman, Morgan, McCarty, Oglebay, Paige, Peelle, Scott, Smith, Stewart, Swayzee, Thomson of Elkhart, Thomson of Miami, Veihe, Wells, Whitehead, Zimmerman and Mr. Speaker—51.

Those who voted in the negative were Messrs. Benz, Carson, Coffman, Cook, Cooley, Copeland, Crumpacker, Davis, Henderson, Houghton, Leeper, Lehman, Marsh, Morrison, Perigo, Rea, Reno, Spencer and Yaryan—17.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 422.

And the same is herewith returned to the House.

The Speaker announced that he had signed Enrolled House Acts Nos. 333, 37, 370, 261, 359, 350, 33, 346, 328, 23, 13, 34, 39, 442, 311, 551, 38, 503, 379, 234, 214, 37, 97, 395, 10 and 404.

Also, Enrolled Senate Acts Nos. 20, 109, 29, 189, 168, 235, 124, 24, 224, 113, 85, 17, 56, 14, 43, 89, 63, 296 and 320.

Also, Senate Joint Resolution No. 2.

Mr. Carlton, from the committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills respectfully report that we have, on this 3d day of March, 1877, delivered to the Governor for his signature, Enrolled Act No. 404 House of Representatives.

The committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills respectfully report that on this 3d day of March, 1877, they presented to the Governor for his signature Enrolled Acts of the House of Representatives numbered as follows : Nos. 350, 359, 261, 333, 37, 370, 33, 346, 328, 23 and 13.

Mr. Cole moved to reconsider the vote by which his resolution, providing for a concurrent vote on State officers, was adopted.

Which was agreed to.

Mr. Cole moved to amend the resolution so that it should read as follows :

Resolved by the House of Representatives, the Senate concurring, That the two Houses of this General Assembly will, on Monday, March 5, 1877, at 10 o'clock A. M., proceed in their separate Houses, by concurrent vote, to elect one Trustee of the Deaf and Dumb Asylum, one Trustee of the Blind Asylum, one Commissioner for the Hospital for the Insane and one President of the Board of Trustees of the Benevolent Institutions.

Which was agreed to.

The joint committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills report that on the 3d day of March, 1877, we delivered to the Governor for his signature, Enrolled Acts House of Representatives, Nos. 352, 284, 422, 548 and Joint Resolution No. 15.

Mr. Cole moved to reconsider the vote by which Senate Bill No. 203 was lost.

Which was agreed to.

Mr. Lanmam moved that the bill be laid upon the table.

The ayes and noes were demanded by Messrs. Johnson of Dearborn, and Benz.

Those who voted in the affirmative were Messrs. Askren, Butler, Carson, Claypool, Cole, Compton, Cook, Copeland, Davis, Endsley, Freeman, Fromm, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Henderson, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Koontz, Langdon, Lanham, Lehman, Little, Madden, Marsh, Mathews, Moorman, Morrison, Oglebay, Paige, Reno, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Warrum, Welborn and Mr. Speaker—45.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Bumgarner, Cary, Carr, Chawner, Coffman, Collins, Conley, Dannettell, Elwell, Foster of Monroe, Garver, Gossman, Highway, Kennedy of Rush, Lockhart, Merriman, Morgan, McCarty, McGaughey, Peelle, Perigo, Swayzee, Thomson of Miami, Whitehead, and Zimmerman—34.

So the bill was laid upon the table.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed to inform the House of Representatives that the Senate has passed the following Engrossed House Bill :

House Bill No. 550, a bill making appropriations for the expenses of the State Government and its institutions, directing the objects to which such appropriations shall be applied, requiring accounts of receipts and expenditures to be kept and reported by the fiscal years of the State, and repealing inconsistent laws, with certain amendments thereto; and the same are herewith transmitted to the House for its consideration.

Engrossed Senate amendment to House Bill No. 550 :

Amend by striking out words "eleven hundred and twenty dollars" in lines 4 and 5 of clause 1 section 2, and insert in lieu thereof the words "eleven hundred and sixty-six dollars and sixty-six cents."

Amend by striking out the words "five hundred and sixty dollars" in lines 6 and 7 of clause 1 section 2, and insert in lieu thereof the words "five hundred and eighty-four dollars."

Amend by striking out "four hundred and sixty dollars" in lines 10 and 11 of clause 1 section 2, and insert in lieu thereof the words "four hundred and sixty-six dollars and sixty-six cents."

Amend by inserting after the word "dollars" in line 12 of clause

1 section 2 the following: "For office expenses for office of Governor, five hundred and eighty dollars."

Amend by striking out the words "twelve thousand one hundred and sixty-five" in lines 17 and 18 of clause 1 section 2, and insert in lieu thereof the words "twelve thousand eight hundred and twenty-two dollars and thirty-four cents."

Amend by inserting after the word "dollars" in line 12 of clause 2 section 2, "for office expenses, five hundred and eighty-three dollars and thirty-three cents."

Amend by striking out the words "four thousand one hundred and fifty dollars" in lines 12 and 13 of clause 2 section 2, and insert in lieu thereof the words "four thousand seven hundred and thirty-three dollars and thirty-three cents."

Amend by adding after the word "necessary" in line 15 of clause 3, section 2, the following: "For office expenses, eight hundred and seventy-five dollars."

Amend by striking out the words "seven thousand one hundred and sixty-six and two-thirds dollars" in lines 16 and 17 of clause 3, section 2, and insert in lieu thereof the words "eight thousand and forty-one dollars and sixty-six cents."

Amend by inserting after the word "dollars" in line 8 of clause 4, section 2, the following: "For incidental expenses, five hundred and eighty-three dollars and thirty-three cents."

Amend by striking out the words "three thousand three hundred and thirty-six and two-thirds dollars" in lines 9, 10 and 11 of clause 4, section 2, and insert in lieu thereof the words "three thousand nine hundred and nineteen dollars and ninety-nine cents."

Amend by inserting after the word "dollars" in line 6 of clause 5, section 2, the following: "For incidental and traveling expenses, five hundred and eighty-three dollars and thirty-three cents."

Amend by striking out the words "two thousand six hundred and twenty-five dollars" in lines 6 and 7 of clause 5, section 2, and insert in lieu thereof the words "three thousand two hundred and eight dollars and thirty-three cents."

Amend by striking out the words "five hundred dollars" in lines 9 and 10 of clause 6, section 2, and insert in lieu thereof the words "five hundred and eighty-three dollars and thirty-three cents."

Amend by striking out the words "three thousand two hundred and ninety-six and two-thirds dollars" in lines 10, 11 and 12, of clause 6, section 2, and insert in lieu thereof the words "three

thousand three hundred and seventy-nine dollars and ninety-nine cents."

Amend by striking out the words "one thousand one hundred and sixty-six and two thirds dollars" in lines 3, 4 and 5 of clause 6, section 2, and insert in lieu thereof the following: "one thousand and four hundred and fifty-eight dollars and thirty-four cents."

Amend by striking out the words "three thousand two hundred and ninety-six and two-thirds dollars," in lines 10, 11 and 12 of clause 6, section 2, and insert in lieu thereof the words "three thousand and six hundred and seventy-two dollars."

Amend by inserting after the word "dollars" in line 9 of clause 7, section 2, the following: "for expressage, postage and incidental expenses, three hundred dollars."

Amend by striking out the words "two thousand eight hundred and twenty dollars" in lines 12 and 13 of clause 7, section 2, and insert in lieu thereof the words "three thousand one hundred and twenty dollars."

Strike out the words "fifteen thousand nine hundred and eighty-six and two-thirds dollars" in lines 15, 16 and 17 of clause 8, section 2, and insert in lieu thereof the following: "eighteen thousand two hundred and sixty-one dollars and sixty-six cents."

Amend by inserting after the word "dollars" in line 11 of clause 8, section 2, the following:

"For the report of the decisions of the Supreme Court the sum of \$875 for clerk hire for seven months; for contingent expenses and new books, \$1,400."

Amend by striking out the word "five" in line 11 of clause 9, section 2, and insert in lieu thereof the word "eight." Strike out the words "two thousand nine hundred and sixteen and two-thirds dollars," in lines 13 and 14 of clause 9, section 2, and insert in lieu thereof the words "four thousand six hundred and sixty-six dollars and sixty-six cents."

Amend by striking out the words "five thousand dollars," in lines 5 and 6 of clause 11, section 2, and insert in lieu thereof the words "ten thousand dollars."

Amend by inserting after the words "current expenses," in line 39 of clause 11, section 2, the words "and repairs."

Amend by inserting after the word "dollars," in line 14 of clause 10, section 2, the following: "For the Horticultural Society, three hundred dollars."

Strike out the word "four," in line 15 of clause 10, section 2, and insert in lieu thereof the word "seven."

Amend by striking out the words "receipts and earnings," in lines 10 and 11 of clause 12, section 2, and insert in lieu thereof the words "net earnings."

Amend by striking out the words "eleven thousand," in lines 8 and 9 of clause 12, section 2, and insert in lieu thereof the words "twelve thousand."

Amend by striking out, after the word "dollars," in line 24 of clause 13, section 2, all relating to Purdue University, and insert in lieu thereof the following: "Five thousand dollars to pay indebtedness incurred during the year 1876; thirty-five thousand dollars for completing and furnishing the college building in process of construction, and three thousand dollars for expenses for seven months immediately preceding October 31, 1877: *Provided, however,* That before the money hereby appropriated to erect the college building shall be paid, thirty-five thousand dollars of the indebtedness from the estate of John Purdue, deceased, shall be transferred to the State, together with the securities held therefor."

Amend by adding the following fifteenth clause to section 2:

For the payment of the indebtedness of the State Prison South, contracted prior to December 15, 1876, one hundred and twenty thousand dollars; for deficits of income for support from December 15, 1876, to March 31, 1877, ten thousand dollars; for the building of a new foundry shop, in which to employ convict labor, six thousand dollars: *Provided,* That Attorney General Buskirk, James F. Harney and William W. Curry be and they are hereby constituted a commission, with power to administer oaths and take testimony, and are authorized and directed to investigate all claims for indebtedness of Southern Prison, and to allow and certify all those they shall find just and lawful, to the Auditor of State, who shall pay the same out of the appropriation herein made. Said commissioners shall be allowed their actual traveling expenses and the same per diem as members of the General Assembly for the time actually employed, and the auditor shall pay the same out of the appropriation made for the expenses of this General Assembly.

The appropriation for a foundry shall be drawn by the Warden when needed for building, and not sooner.

For the State Prison North, to complete the new cell house, seventy thousand dollars, and for additional work shops, ten thousand dollars.

For completing the new Insane Hospital building for the year 1877, \$125,000, and for the year 1878, \$150,000: *Provided*, That these appropriations shall not be drawn except on the proper order of the Commissioners of the Hospital, and only as needed for use in the progress of the building.

Amend by inserting after the word "law," in line 17 of clause 8, section 4, the following: "And the sum of \$1,500 for clerk hire and Reporter of the Supreme Court."

Amend by striking out the word "seven," in line 5 of clause 7, section 4, and insert in lieu thereof the word "five."

Amend by adding the following to section 7: "For incidental expenses for office of Secretary of State, \$1,000 for each year; for incidental expenses for Auditor of State, \$1,500; for incidental expenses for office of Attorney General, \$1,000."

Amend by striking out the word "five," in line 10 of clause 9, section 4, and insert in lieu thereof the word "eight."

Also by striking out the words "two thousand," in lines 12 and 13 of clause 9, section 4, and insert in lieu thereof the words "five thousand."

Amend by inserting after the word "law" in line 20 of clause 10, section 4, the following: For the Horticultural Society, \$300.

Amend by striking out the words "nineteen thousand five hundred" in lines 8 and 9 of clause 12 section 4, and inserting in lieu thereof the words "twenty-one thousand."

Amend by striking out the words "five thousand" in lines 13 and 14 of clause 14 section 4, and insert in lieu thereof the words "fifteen thousand."

Amend by striking out the words "twenty-eight thousand" in line 30 of clause 11 section 4, and insert in lieu thereof the words "thirty thousand."

Amend by striking out the words "fifty-five" in line 19 of clause 11 section 4, and insert in lieu thereof the word "sixty"

Amend by striking out of clause 13, section 4, the words "fifteen hundred dollars, which include the payment of the trustees and secretary, and all charges on the State treasury," and insert in lieu thereof the following: "Five thousand dollars for current expenses; twenty-five hundred dollars for apparatus, machinery, cabinets and fixtures; one thousand dollars for books and periodicals for library, and one thousand five hundred dollars for stock experiments in agriculture and improvements of grounds."

Amend by striking out the words "five hundred and sixty

dollars," in lines 6 and 7, section 2, and insert in lieu thereof the words "eight hundred and seventy-five dollars."

Amend by adding to section 2 the following : "For the State Board of Agriculture, fifteen thousand dollars for the year 1877, and ten thousand dollars for the year 1878; *Provided*, That this money shall be applied to the payment of all the floating debts of said Board, including the interest on the mortgage of the property ; and that, before drawing any part thereof, the said Board execute a trust deed to a trustee, who shall be appointed by the Governor, for the re-payment of all such mortgages whenever they shall sell their fair grounds, which trust deed shall be approved by the Governor."

Amend by striking out the words "two thousand," and insert in lieu thereof the words "two thousand two hundred," in line 11, clause 11, section 2.

Amend by striking out of line 5, clause 11, section 2, the words "ten thousand," and insert in lieu thereof the words "five thousand."

Amend by striking out the appropriation of one thousand seven hundred and fifty dollars, for geological survey.

Amend by striking out the words "three thousand," in lines 7 and 8 of clause 10, section 2, and insert in lieu thereof the words "one thousand seven hundred and fifty."

Amend by fixing the salary of the State Geologist at three thousand dollars per annum.

Amend by striking out the names of the Commissioners provided for in reference to the Southern Prison, and substitute the following: "The Governor is authorized to appoint a commission of three to audit the claim, said commission to be limited to sixty days."

The joint committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills have presented to the Governor, for his signature, the following Enrolled Senate Bills Nos. 13, 43, 41, 63, 62, 61, 106, 107, 46, 89, 77, 177, 65, 182, 71, 98, 200, 201, 195, 199, 208, 241, 266, 296, 320, 323 and 326.

The amendments of the Senate to House Bill No. 550 were taken up.

Mr. Yaryan moved that the House non-concur in the amendments.

Which was agreed to, and the Principal Clerk was directed to inform the Senate thereof forthwith.

Mr. Austin moved to take up Engrossed House Bill No. 191. A bill to amend sections 4, 6 and 7 of an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such court, and for the compensation of such Reporter," approved March 13, 1875, and declaring an emergency.

Which was agreed to, and the bill read a third time.

The question being, shall the bill pass?

Pending the call of the roll, at the hour of 12:30 A. M., the Speaker announced that legislation on the passage of bills for this session of the General Assembly was closed by the constitutional limitation.

On motion by Mr. Leeper the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY MORNING,

MARCH 5, 1877.

The House met with the Speaker in the chair.

On motion by Mr. Lehman the reading of the journal of Saturday's proceedings was dispensed with.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives, for the signature of the Speaker thereof, the following Senate joint resolutions, to-wit :

Enrolled Joint Resolution No. 1, Senate of Indiana. A joint resolution proposing amendments to section 2, article 2, of the Constitution.

Enrolled Joint Resolution No. 5, Senate of Indiana. A joint

resolution proposing amendments to clause 14 of section 22, of article 4 of the Constitution.

Enrolled Joint Resolution No. 3, Senate of Indiana. A joint resolution proposing amendment to section 14, article 2 of the Constitution.

Enrolled Joint Resolution No. 19, Senate of Indiana. A joint resolution proposing amendment to section 29, article 4 of the Constitution.

Enrolled Joint Resolution No. 6, Senate of Indiana. A joint resolution proposing amendment to section 1, article 7 of the Constitution.

Enrolled Joint Resolution No. 7, Senate of Indiana. A joint resolution proposing amendment to section 2 of article 7 of the Constitution.

Enrolled Joint Resolution No. 4, Senate of Indiana. A joint resolution proposing amendment to sections 4 and 5 of article 4 of the Constitution.

And the same are herewith submitted.

Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary to whom was referred Engrossed Senate Joint Resolution to amend section 29 of the 4th article of the Constitution of the State of Indiana, have had the same under consideration and I am directed to report the same back with the recommendation that it be adopted.

The report of the committee was concurred in, the joint resolution being as follows :

Engrossed Senate Joint Resolution No. 19. A joint resolution to amend section 29 of the 4th article of the Constitution of the State of Indiana.

Resolved, By the Senate, the House of Representatives concurring, that the following amendment be, and is hereby proposed, to the Constitution of the State of Indiana, to-wit :

Amend section 29, of the 4th article, to read as follows :

The members of the General Assembly shall receive for their services a compensation to be fixed by law ; but no increase of compensation shall take effect during the session at which such increase

may be made. No session of the General Assembly shall extend beyond the term of one hundred and twenty-one days, nor any special session beyond the term of sixty days.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as "Amendment No. 10."

Was by consent taken up.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Askren, Baxter, Bumgarner, Cary, Chawner, Coffman, Cole, Collins, Cook, Copeland, Craft, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Henderson, Highway, Hosmer, Hubbard, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, McGaughey, Paige, Peelle, Perigo, Priest, Riley, Sailors, Scott, Smith, Swayzee, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Wells, Yaryan and Mr. Speaker—55.

Those who voted in the negative were Messrs. Ashby, Austin, Branyan, Conley, Hulet, Johnson of Carroll, Johnson of Dearborn, Lehman, Little, Madden, McCarty, Oglebay, Rea, Reno, Stewart, Thomas, Welborn, Zehring and Zimmerman—19.

So the joint resolution passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Johnson of Carroll was granted leave to record his vote in the affirmative on the passage of Senate joint resolution passed on Saturday.

Engrossed Senate Joint Resolution No. 3. A joint resolution proposing amendment to section 14 of article 2 of the Constitution.

Resolved by the Senate the House of Representatives concurring, that the following amendment to the Constitution of the State of Indiana, be and the same is hereby proposed, to-wit:

Section 14. All general elections shall be held on the first Tuesday after the first Monday in November, but township elections may be held at such time as may be provided by law: *Provided*, That the General Assembly may provide by law for the election of all judges of courts of general and appellate jurisdiction, by an election to be held for such officers, only, at which time no other

officers shall be voted for ; and shall also provide for the registration of all persons entitled to vote.

Resolved, That in submitting this amendment to the election of the State to be voted on, it shall be designated as "Amendment No. 3."

Which was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Moorman, Morgan, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—78.

No member voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed Senate Joint Resolution, No. 1. Amending section 2 of article 2 of the constitution, and prescribing the qualification of voters :

Resolved by the Senate, the House of Representatives concurring, That the following amendment be and is hereby proposed to the Constitution of the State of Indiana, to-wit :

Amend section 2 of article 2 so as to read as follows :

Section 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months and in the township sixty days, and in the ward or precinct thirty days immediately preceeding such election, and every male of foreign birth of the age of twenty-one years and upwards, who shall have resided in this State during the six months and in the township sixty days, and in the ward or precinct thirty days immediately preceding such election, and shall have

declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote in the township or precinct where he may reside if he shall have been duly registered according to law.

Resolved, That in submitting this proposition to the electors to be voted upon, it shall be designated as "Amendment No. 1."

Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Pelle, Perigo, Priest, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—81.

Those who voted in the negative were Messrs. Rea and Stewart—2.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Swayzee offered the following resolutions:

Resolved by the House of Representatives of the State of Indiana, the Senate concurring, That the Constitution of the State, in limiting the session of the General Assembly to sixty-one days, refers to, and should be understood to mean, sixty-one working or week days, Sundays excepted.

Resolved, That the members and employes of the General Assembly, except those who live in the city, be and they are hereby allowed \$1.50 per day for each Sabbath day included in the session for expenses.

Which, on motion by Mr. Lehman, was laid upon the table.

Mr. Craft offered the following resolution:

Resolved, That the committee on ways and means be and are hereby instructed to examine, adjust and report a resolution for payment of the various claims incident to the expenses of this House, not otherwise provided by law.

Which was adopted.

Engrossed Joint Resolution No. 5. A joint resolution proposing amendment to clause 14 of section 22, of article 4 of the Constitution :

Resolved by the Senate, the House of Representatives concurring, That the following amendment to the Constitution of the State of Indiana is proposed, to-wit :

Amend clause 14, of section 22, article 4, to read as follows :
 "In relation to fees or salaries, except that the laws may be so made as to grade the compensation of officers in proportion to population, and the necessary services required."

Resolved, That in the submission of this amendment to the electors of the State to be voted on, it shall be designated as "Amendment No. 5."

Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Albert and Marsh—2.

So the joint resolution passed.

The question being, shall the title as read stand?

The following concurrent Senate resolution was taken up :

WHEREAS, There were filed before the body known as the Morgan Raid Commissioners a large number of claims by certain

citizens of this State, which claims were, upon the expiration of the duties of said Commissioners, delivered with the vouchers and other papers to the Executive of the State;

AND WHEREAS, A number of the owners of said claims are desirous of withdrawing said claims from the office of said Executive in order to prosecute the collection of the same in the departments of the United States government; therefore

Be it resolved by the Senate, the House of Representatives concurring, That the Governor of the State of Indiana is hereby authorized to deliver any claims on deposit in his office among the papers and files of the Morgan Raid Commission to the owners thereof whenever the said owners, in person or by attorney, request the same, said owner to leave on file a certified copy of any claim so withdrawn.

Which was adopted.

The following Senate concurrent resolution:

WHEREAS, There is in the counties of St. Joseph, Stark, Porter, Jasper, Lake and Newton nearly one million acres of land now nearly worthless by reason of the overflow of the Kankakee river, and which can not be drained without the consent, goodwill and co-operation of the adjoining State of Illinois; therefore

Be it resolved, the House concurring, That the Governor of this State be requested to correspond with the Governor of Illinois touching the subject of this resolution, with a view of devising means and measures to speedily accomplish this much needed improvement to the State.

Was taken up and adopted.

Mr. Viehe, from committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to which was referred engrossed Senate Resolution No. 7, being a joint resolution, proposing amendments to article number 7, of section 2, of the Constitution of the State of Indiana, have had the same under consideration, and I am directed to report the said joint resolution back, with the recommendation that it be adopted.

The report was concurred in.

The joint resolution being engrossed Senate Joint Resolution No. 7, a joint resolution proposing amendments to article No. 7, section 2, of the Constitution:

Senate Joint Resolution No. 7:

Resolved by the Senate, the House of Representatives concurring :
That the second section, of the seventh article of the Constitution of the State of Indiana, be amended to read as follows :

Section 2. The Supreme Court shall consist of not less than five, nor more than seven, judges, a majority of whom shall form a quorum. They shall hold their offices for six years, if they shall so long behave well: *Provided*, That the judges elected at the first election, after the taking effect of this amendment, shall be divided by lot into three classes as nearly as may be, the fraction being in the last class, and the seats of the first class shall be vacated at the expiration of two years, those of the second class at the expiration of four years, and the third class at the expiration of six years, so that one-third thereof, or as nearly as may be, shall be chosen every two years.

Resolved, That, in submitting this amendment to the electors of the State to be voted on, it shall be designated as "Amendment No. 7."

Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Austin, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Grubbs, Guthrie, Hall, Hatfield, Hauss, Henderson, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Moorman, Morgan, McGaughey, Oglebay, Paige, Peelle, Perigo, Sailors, Thompson of Elkhart, Thompson of Howard, Thompson of Miami, Viehe, Wells, Whitehead, Zehring and Mr. Speaker—63.

Those who voted in the negative were Messrs. Coffman, Crum-packer, Johnson of Dearborn, Kennedy of Rush, Koontz, Priest, Rea, Reno, Riley, Scott, Smith, Stewart, Swazee and Thomas—14.

So the joint resolution passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Garver, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to whom was referred Engrossed Senate Resolution, being a joint resolution proposing amendments

to the Constitution of the State of Indiana, have had the same under consideration, and I am directed to report it back with the recommendation that it be adopted.

Which was concurred in.

Engrossed Senate Joint Resolution No. 4. A joint resolution proposing amendment to sections 4 and 5 of article 4 of the Constitution.

Resolved by the Senate, the House of Representatives concurring, That the Constitution of the State of Indiana be amended as follows :

Strike the word "white" from sections 4 and 5 of article 4.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as "Amendment No. 4."

Which was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Austin, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Conley, Cook, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Hatfield, Hauss, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zehring, and Mr. Speaker—71.

Those who voted in the negative were Messrs. Askren, Benz, Cooley, Fromm, Henderson, Johnson of Dearborn, Rea and Reno—8.

So the joint resolution passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Carlton, from the committee on judiciary, submitted the following report:

MR. SPEAKER :

Your committee on judiciary, to whom was referred Engrossed Senate Resolution No. 6, being a joint resolution proposing amendments to section 1 of article 7 of the Constitution, have had it under

consideration, and I am directed to report the same back with the recommendation that it be adopted.

The report was concurred in.

Engrossed Senate Joint Resolution No. 6. A joint resolution proposing amendment to section 1 of article 7 of the Constitution:

Resolved by the Senate, the House of the House of Representatives concurring, That the following amendment is proposed to the Constitution of the State of Indiana, to-wit: Amend section 1, article 7, to read:

Section 1. The judicial power of the State shall be vested in a Supreme Court, Circuit Courts, and such other courts as the General Assembly may establish.

Resolved, That in the submission of this amendment to the electors of the State to be voted on, it shall be designated as "Amendment No. 6."

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Askren, Austin, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Cole, Collins, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Sailors, Scott, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring and Mr. Speaker—69.

Those who voted in the negative were Messrs. Ashby, Conley, Johnson of Dearborn, McCarty, Priest, Rea, Reno, Stewart and Swayzee—9.

So the joint resolution passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Copeland made the following motion:

MR. SPEAKER:

I move that the members be authorized to return the statutes received of the Doorkeeper back to the Doorkeeper, and take up the receipts they gave the Doorkeeper for the same, and that the

Doorkeeper be authorized to receive the same and deliver to the members their receipts.

Which, on Mr. Langdon's motion, was laid upon the table.

Mr. Thomas offered the following resolution :

WHEREAS, A number of the members of this House of Representatives have had their statutes taken, without leave, from their desks ; therefore, be it

Resolved, That such members of this House of Representatives be entitled to Davis' Revised Statutes free of charge, and that the Doorkeeper be instructed to return to each member the receipts given for the same.

Which, on motion of Mr. Johnson of Carroll, was laid upon the table.

Mr. Freeman offered the following resolution :

Resolved, That the thanks of this House are due to the representatives of the press for the able-bodied manner in which they have reported the proceedings of the fiftieth General Assembly.

Which on motion of Mr. Davis was laid upon the table.

Mr. Hatfield offered the following resolution :

Resolved, That inasmuch as the late statutes, as revised by Mr. Davis, and which have been issued to the members of the House of Representatives; and whereas, said books have become more or less mutilated, and thereby have become second-handed, therefore, each member shall have the right to return the said statutes to the State Librarian and having a receipt therefor, or pay the sum of five dollars for the same and keep them.

Which on motion by Mr. Viehe was laid upon the table.

Mr. Peelle offered the following resolution :

Resolved by the House of Representatives, That there be allowed to Joel Stafford one hundred dollars for extra services as Reading Clerk of the House of Representatives.

Which was adopted.

The following message was recieved from his Excellency, Governor Williams :

The Honorable, the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House of Representatives that he has approved and signed House Enrolled Bills, numbered and entitled, as follows :

No. 50. An act authorizing cities and incorporated towns to change and reform their boundaries so as to exclude therefrom suburban lots or tracts of land not laid out in lots, approved March 3, 1877.

No. 51. An act authorizing the school trustees of a city or incorporated town, to pay over to such city or incorporated town, surplus special school revenue for the payment of indebtedness created for school building purposes, and legalizing acts where such surplus has been so appropriated, approved March 3, 1877.

No. 181. An act to confirm and legalize the corporate name and organization of the Rose Polytechnic Institute, approved March 3, 1877.

No. 256. An act to amend section 1 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof and of the Auditor of State in connection therewith, and prescribing penalties for the violation of the provisions of this act," approved December 21, 1865, and adding supplemental sections thereto, approved March 3, 1877.

No. 420. An act to amend section 4 of an act entitled "An act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which such harbors may run, and to assess damages and benefits against adjoining owners," approved March 9, 1875. Approved March 3, 1877.

No. 471. An act to amend an act approved February 24, 1869, entitled "An act to amend sections 1 and 3 of an act entitled 'an act to provide for the re-location of county seats, and for the erection of public buildings in counties in case of such re-location,'" approved March 2, 1855, and to amend section 1 of an amendatory of said act, approved December 18, 1865, and to provide for the appointment of commissioners. Approved March 3, 1877.

No. 261. An act to amend section 38 of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852, and declaring an emergency. Approved March 3, 1877.

No. 13. An act to amend sections 19 and 20 of an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1852. Approved March 3, 1877.

No. 23. An act entitled "An act to amend section 27 of an act entitled 'an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws,'" approved March 12, 1875. Approved March 3, 1877.

No. 33. An act to amend section 7 of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations, and repealing the laws on that subject," approved March 5, 1857, and March 7, 1873, and legalizing all such associations now in existence, approved March 11, 1875. Approved March 3, 1877.

No. 328. An act legalizing the election of the officers of the town of Kentland. Approved March 3, 1877.

No. 346. An act to fix the times for holding the terms of the Superior Court of Tippecanoe county. Approved March 3, 1877.

No. 333. An act to authorize cities to issue bonds for the purpose of funding their indebtedness, reducing the rate of interest on pre-existing obligations, compromising with any creditor or creditors, or taking up and canceling bonds, notes or other securities already due, or which shall hereafter become due, and making it the duty of the common councils of such cities to levy taxes for the payment of the interest, and to provide sinking funds for the liquidation of the principal of said bonds. Approved March 3, 1877.

No. 350. An act to establish a Superior Court in the county of Vanderburgh, defining its jurisdiction, providing for the election and compensation of the judge thereof, to abolish the Criminal Court of said county and transferring its business to the Circuit Court thereof. Approved March 3, 1877.

No. 359. An act to amend an act entitled "An act to authorize plank, macadamized and gravel road companies to consolidate their stock with other similar companies and to assume a common name, and defining the power of such consolidated company," approved February 23, 1859. Approved March 3, 1877.

No. 370. An act to amend section 1 of an act approved February 2, 1855, entitled "An act to amend an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode

of pleading and practice without distinction between law and equity," approved June 18, 1852. Approved March 3, 1877.

No. 10. An act to fix the time of holding Circuit Courts in the Eleventh Judicial Circuit. Approved March 3, 1877.

No. 34. An act authorizing Boards of County Commissioners to construct gravel, macadamized or paved roads upon petition of a majority of resident land owners along and adjacent to the line of any roads; authorizing them to issue bonds of the county to raise money required for that purpose, and provide for the payment of such bonds by taxing lands adjacent to the roads, repealing all laws inconsistent herewith, and declaring an emergency. Approved March 3, 1877.

No. 39. An act to provide for the restoration and preservation of the records of the various counties and the records of all courts of record.

No. 97. An act to legalize certain acts of the Boards of Commissioners of Morgan county, in the State of Indiana, providing for the restoration and preservation of the mutilated or defaced records of the Clerk's and Auditor's offices of said county, and providing that such restored records shall have the same force and effect as the original records, and declaring an emergency. Approved March 3, 1877.

No. 31. An act to amend section 6 of an act entitled "An act to create the Forty-first Judicial Circuit, to amend sections 34 and 39 of an act entitled 'an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases,' approved March 6, 1873, and also to provide for holding terms of court in the Thirty-third, Thirty-eighth and Forty-first Circuits, and repealing all laws inconsistent therewith," approved March 9, 1875. Approved March 3, 1877.

No. 311. An act to amend sections 208 and 210 of act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872. Approved March 3, 1877.

No. 379. An act authorizing allowances in aid of agricultural associations. Approved March 3, 1877.

No. 395. An act fixing the time of holding court in the Twenty-fifth Judicial Circuit, and the length of terms thereof, and repealing all laws in conflict therewith. Approved March 3, 1877.

No. 442. An act to fix the time of holding courts in the Tenth Judicial Circuit of the State of Indiana, prescribing the length of terms thereof and repealing all laws in conflict herewith and declaring an emergency.

No. 503. An act supplemental to an act entitled "An act providing for a general system of common schools in all cities of thirty thousand or more inhabitants and for the election of a board of school commissioners for such cities and defining their duties and prescribing their powers and providing for common school libraries within such cities," approved March 3, 1871; approved March 3, 1877.

No. 551. An act to levy an annual tax for the purpose of raising revenue, approved March 3, 1877.

And that he has caused said acts to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY, Secretary.

EXECUTIVE DEPARTMENT, March 3, 1877.

Mr. Kennedy of Rush offered the following resolution :

Resolved, That Cyrus T. Nixon, Principal Clerk, and James W. Cole, Assistant Clerk of the House of Representatives, be allowed three hundred dollars each for superintending the printing of the journal, reading proof and indexing the same, for preparing calendar of bills pending upon adjournment, and for filing all bills, books, resolutions and papers of the House with the State Librarian.

Which was adopted.

Mr. Thompson of Elkhart offered the following resolution :

Resolved, That the thanks of the House be, and they are hereby hereby tendered to Hon. John Overmyer for the impartial and able manner in which he has presided as Speaker of the House during the regular session.

Which was unanimously adopted by a rising vote.

Mr. Moorman offered the following concurrent resolution :

WHEREAS, The Hon. Henry W. Blair, of New Hampshire, on the 27th day of December, 1876, introduced into the National House of Representatives the following joint resolution, viz :

Resolved, by the Sennte and House of Representatives of the United States of America in Congress assembled, two-thirds of each House concurring therein, That the following amendment to the Constitution be and is hereby proposed to the States, to become valid when ratified by the Legislatures of three-fourths of the several States, as provided in the Constitution :

Article —, Section 1. From and after the year of our Lord, nineteen hundred, the manufacture and sale of distilled alcoholic intoxicating liquors or alcoholic liquors, any part of which is obtained by distillation or process equivalent thereto, or any intoxicating liquors mixed or adulterated with ardent spirits, or with any poison whatever, except for medicinal, mechanical, chemical and scientific purposes, and for use in the arts, anywhere within the United States and the territories thereof, shall cease; and the importation of such liquors from foreign States and countries to the United States and the territories, and the exportation of such liquors from, and the transportation thereof, within and through any part of this country, except for the use and purposes aforesaid, shall be and hereby is forever thereafter prohibited.

Section 2. Nothing in this article shall be construed to waive or abridge any existing power of Congress, nor the right, which is hereby recognized, of the people of any State or territory, to enact laws to prevent the increase and for the suppression or regulation of the manufacture, sale and use of liquors and the ingredients thereof, any part of which is alcoholic, intoxicating or poisonous, within its own limits, and for the exclusion of such liquors and ingredients therefrom at any time, as well before as after the close of the year of our Lord nineteen hundred, but until then and until ten years after the ratification hereof, as provided in the next section, no State or territory shall interfere with the transportation of said liquors or ingredients in packages safely secured over the usual lines of traffic to other States and territories wherein the manufacture, sale or use thereof for other purposes and use them, those excepted in the the first section shall be lawful: *Provided*, That the true destination of such packages be plainly marked thereon.

Section 3. Should this article not be ratified by three-fourths of the States on or before the last day of December, 1890, then the first section hereof shall take effect and be in force at the expiration of ten years from such ratification, and the assent of any State to this article shall not be rescinded or reversed.

Section 4. Congress shall enforce this article by all needful

legislation. Now, in pursuance thereof, and in view of the appalling facts that at least three-fourths of the pauperism, six-tenths of the insanity and nine-tenths of the crime results from the traffic in intoxicants—in view of the fact that the liquor traffic tends largely to foster indolence and ignorance, whereby the prosperity and permanence of the nation is compromised—in view of the fact that it is antagonistic to the true liberty of the people, because it debases and enslaves the will power of its votaries—in view of the fact that it contravenes the very corner stone of a republican government, in that it grants a monopoly to the few, by license, for their own private emolument to pursue a business which directly tends to destroy the general good of society, thereby reversing the grand old maxim for which all republican governments are formed, viz: "The greatest good to the greatest number," and in view of the fact, well established by science and experience, that the liquor traffic tends very largely to the physical and mental degeneracy of the race, and thereby unfits those who are slaves to alcohol to discharge their whole duty to the commonwealth;

Be it therefore resolved by the House of Representatives, the Senate concurring therein, That our Senators in Congress be instructed, and our Representatives be requested to support said resolution.

Mr. Lehman moved that the resolution be laid upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Foster of Allen and Lehman.

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Austin, Benz, Coffman, Cole, Compton, Conley, Cooley, Dannettell, Davis, Foster of Allen, Fromm, Girton, Hatfield, Hosmer, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, McCarty, Paige, Perigo, Priest, Rea, Reno, Spencer, Stewart and Whitehead—31.

Those who voted in the negative were Messrs. Baxter, Bran-
yan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Copeland, Elwell, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Henderson, Highway, Houghton, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, Oglebay, Peelle, Riley, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Howard, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—48.

So the resolution was not laid upon the table.

The question being upon the adoption of the resolution.

Mr. Moorman offered the following amendment to the resolution :

Amend by inserting in the proper place, "a large part of the pauperism and crime."

Which was not agreed to.

Mr. Freeman moved the previous question.

Which was seconded by the House and the main question ordered, being upon the adoption of the resolution.

The ayes and noes were demanded by Messrs. Moorman and Dannettell.

Those who voted in the affirmative were Messrs. Baxter, Butler, Cary, Carson, Chawner, Cole, Copeland, Crumpacker, Elwell, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Henderson, Highway, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Little, Lockhart, Mathews, Moorman, Morgan, Oglebay, Scott, Smith, Swayzee, Thomas; Thompson of Elkhart, Thompson of Howard, Wells, Zehring and Zimmerman—40.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Cook, Cooley, Dannettell, Davis, Foster of Allen, Fromm, Girton, Hatfield, Hauss, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Lehman, Madden, Marsh, McCarty, McGaughey, Paige, Peelle Perigo, Priest, Rea, Reno, Spencer, Stewart, Viehe, Welborn, Whitehead, and Mr. Speaker—41.

So the resolution was not adopted.

Mr. Benz offered the following resolution :

A resolution of respect to the memory of the dead:

WHEREAS, There has been for a long time an important personage lingering with disease and approaching death, and

WHEREAS, said important personage has just deceased; therefore be it

Resolved, That on account of said death of said important personage, the doorkeeper be directed to drape the House in mourning.

Resolved, That said important personage is the dead rooster on the Sentinel building.

Which was adopted.

Mr. Copeland offered the following resolution :

MR. SPEAKER :

I move that the Secretary of State be authorized to receive the

statutes furnished the members of this General Assembly, and issue receipts for the same.

Which, on motion by Mr. Branyan, was laid upon the table.

Mr. Peelle offered the following resolution :

WHEREAS, The Senate has asked for a committee of conference, on the difference between the two Houses, on House Bill No. 550; therefore,

Resolved, That this House agrees to said committee of conference, and that the Speaker appoint two members to act as such committee on the part of the House.

Which was agreed to.

The Speaker appointed Messrs. Hall and Viehe such committee on the part of the House.

Mr. Branyan offered the following resolution :

MR. SPEAKER :

Resolved, That the thanks of this House be, and the same are hereby, tendered to the ministerial association of the city of Indianapolis, Indiana, for their attendance and religious services in opening of the morning session of this House.

Which was adopted.

Mr. Mathews offered the following resolution :

Resolved, That the statutes furnished to the members of this assembly at the beginning of the session, may be retained by such members as may desire them, free of charge.

Mr. Smith offered the following amendment to the resolution :

MR. SPEAKER :

I offer the following amendment :

Resolved, That the Doorkeeper of this House is hereby authorized to return the receipts of members, given for statutes, on the surrender of the same to him, but any member may retain the same by paying the cost thereof; and the Warrant Clerk is hereby ordered to deduct \$12 from the pay of each member, unless said member produce the receipt given for said statutes.

Which was not agreed to.

The resolution offered by Mr. Mathews was then adopted.

Mr. Henderson offered the following resolution :

Resolved, That the Pages of this House be allowed the sum of \$30 each, so as to make their pay for this session \$2.50 per day.

Which was adopted.

Mr. Morgan moved to take up the following Senate concurrent resolution :

WHEREAS, The lands attached and belonging to the House of Refuge for Juvenile Offenders, are insufficient for the successful employment of the inmates of that institution ; and

WHEREAS, There are situate near to and adjoining said institution one hundred acres of land, of a kind and character which can and should be purchased for such institute ; and

WHEREAS, Such lands can be purchased at a fair and reasonable price at this time ; therefore, be it

Resolved by the House, the Senate concurring therein, That the Board of Commissioners of said House of Refuge be and are hereby instructed and authorized to purchase such one hundred acres of land adjoining the present grounds owned and possessed by said institute : *Provided, however*, That said Board of Commissioners shall not pay a sum to exceed one hundred dollars per acre for such lands ; and further, that the money used for the purchase of said lands shall be taken from the profits arising from the labor of the chair shop of said House of Refuge, not needed to carry on the said House of Refuge.

The resolution was taken up.

Mr. Little offered the following amendment :

I move to amend by inserting "seventy-five dollars per acre," instead of "one hundred dollars per acre."

Which was not agreed to.

The resolution was not adopted.

Mr. Craft, from the committee on claims, submitted the following report :

MR. SPEAKER :

Your committee on claims, to whom was referred the petition of the heirs of John P. Dunn, Sr., would say, that they have had the same under consideration, and have instructed me to report that it is impossible for the committee in the limited time given for a proper investigation of the matter set forth, yet are of the opinion that it is a case which calls for adjustment. We therefore report the same back with the accompanying concurrent resolution, which we recommend should be passed :

Resolved, by the House of Representatives, the Senate concurring, That the Governor, Secretary of State and Treasurer of State be, and they are hereby constituted a Board to examine and adjust the claims or accounts as between the State and the heirs of John P. Dunn, and if they find that the claim of the State against the said John P. Dunn has been fully paid and satisfied, and there remains any of the collaterals yet uncollected, that they are hereby instructed to deliver them to the said heirs, and if any money is found to be due them that it be reported to the next General Assembly for allowance.

The report was concurred in and the resolution adopted.

Mr. Kennedy of Rush, Ripley and Decatur, offered the following resolution :

Resolved, That Daniel Sullivan, spittoon and water-closet cleaner, be allowed \$3.50 per day for his services.

Which was not agreed to.

The following Senate Concurrent Resolution was taken up.

Be it Resolved by the Senate, the House concurring therein, That J. H. Fowler, Milton Trusler, Joseph Henderson, C. T. Doxy, J. H. Winterbottom, Nathan Cadwallader and J. B. Hendricks, composing Senate committee on prisons, be allowed the sum of thirty-five dollars each for traveling expenses. That T. C. Johnson, William Baxter, Henry K. Wilson, J. B. Grove and S. M. Taylor, composing the committee on benevolent institutions, be allowed the sum of thirty-five dollars each for traveling expenses. That J. D. Sarnighausen, Jasper Davidson, William Culbertson and W. B. F. Treat, constituting Senate committee on education, be allowed the sum of thirty-five dollars each for traveling expenses. That W. F. Riley and Samuel Taylor, Senate, and J. C. Adams, W. H. Thomas and Stephen Albert, of the House, constituting the joint legislative committee on public buildings, be allowed the sum of thirty-five dollars each. That Claude Mathews, James L. Johnson, John Chawner, John W. Houghton, Isaac Bumgarner and Robert C. Foster, composing the House committee on education, be allowed the sum of thirty-five dollars each for traveling expenses. That A. M. Scott, B. G. Harris, A. A. Morrison, W. R. Oglebay, G. W. Davis, Ebenezer Cooley, J. Sailors and H. H. Elwell, composing the House committee on prisons, be allowed the sum of thirty-nine dollars each for traveling expenses, and that such amounts as herein allowed shall be drawn from the legislative appropriation, as

warrants for per diem or mileage of members of the General Assembly are drawn.

Mr. Smith offered the following amendment to the resolution:

MR. SPEAKER:

I move to amend by striking out "thirty-five dollars" and inserting instead "the amount of actual expenses paid out by each, and the amount to be certified by each member of said committees."

Upon the adoption of which amendment the ayes and noes were demanded by Messrs. Smith and Compton.

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carson, Coffman, Cole, Collins, Conley, Cook, Copeland, Craft, Crum-packer, Dannettell, Foster of Allen, Fromm, Girton, Gossman, Grubbs, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Merriman, Moorman, Morgan, McCarty, Oglebay, Peelle, Perigo, Priest, Rea, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Welborn, Wells, Whitehead, Zehring and Mr. Speaker—65.

Those who voted in the negative were Messrs. Freeman, Garver, Kennedy of Rush, Kennedy of Union, Reno, Spencer—6.

So the amendment was agreed to.

The resolution as amended was adopted.

Mr. Grubbs, from the committee on the judiciary, submitted the following report:

MR. SPEAKER:

Your committee on the judiciary, to which was referred Engrossed Senate Joint Resolution No. 14, by Mr. Streight, requesting our Senators and Representatives in Congress to use all proper means to secure the repeal of the national bankrupt law, have had the same under consideration, and directed me to report the same back with the recommendation that it do pass.

The report was concurred in.

Engrossed Senate Joint Resolution No. 14, a joint resolution for the repeal of the nation bankrupt law:

Resolved by the Senate, the House concurring, That our Senators in Congress be instructed, and our Representatives be requested to

use all proper means to secure the early repeal of the national bankrupt law, and that copies be forwarded to each of our Senators and Representatives in congress.

Was read and adopted.

On motion by Mr. Hulet, the House adjourned.

AFTERNOON SESSION,

MONDAY, March 5, 1877.

The House met, with the Speaker in the chair.

Mr. Branyan moved to reconsider the vote by which Mr. Mathews' resolution allowing members to keep their statutes, was adopted.

Mr. Carson moved to lay the motion to reconsider upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Branyan and Viehe.

Those who voted in the affirmative were Messrs. Askren, Cary, Carson, Collins, Crumpacker, Dannettell, Endsley, Foster of Monroe, Hatfield, Highway, Kennedy of Rush, Lanham, Mathews, Paige, Sailors, Thompson of Elkhart and Zimmerman—17.

Those who voted in the negative were Messrs. Adams, Ashby, Baxter, Benz, Branyan, Bumgarner, Carr, Chawner, Coffman, Compton, Conley, Cook, Cooley, Copeland, Craft, Elwell, Foster of Allen, Freeman, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Harper, Hauss, Henderson, Hosmer, Houghton, Hubbard, Kennedy of Union, Kimmell, Langdon, Lehman, Little, Marsh, Moorman, Morgan, Oglebay, Peelle, Perigo, Rea, Reno, Riley, Smith, Stewart, Swayzee, Thompson of Howard, Viehe, Wells, Whitehead, Zehring and Mr. Speaker—53.

So Mr. Carson's motion did not prevail.

The question recurring upon the motion to reconsider, Messrs. Branyan and Viehe demanded the ayes and noes.

Those who voted in affirmative were Messrs. Adams, Albert, Ashby, Baxter, Branyan, Bumgarner, Butler, Carlton, Carr, Chawner, Coffman, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Elwell, Foster of Allen, Freeman, Fromm, Girton, Gossman,

Grubbs, Harris, Harper, Hauss, Henderson, Hosmer, Houghton, Hubbard, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Little, Lockhart, Madden, Marsh, Moorman, Morgan, McCarty, McGaughey, Oglebay, Peelle, Perigo, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thompson of Howard, Welborn, Yaryan, Zehring, Zimmerman and Mr. Speaker—60.

Those who voted in the negative were Messrs. Askren, Austin, Benz, Cary, Collins, Conley, Dannettell, Davis, Endsley, Foster of Monroe, Garver, Guthrie, Hatfield, Hulet, Johnson of Carroll, Kennedy of Rush, Lanham, Lehman, Mathews, Merriman, Paige, Scott, Spencer, Thomas, Thompson of Elkhart, Warrum, Wells and Whitehead—29.

So the motion to reconsider prevailed.

The question recurring upon the adoption of the resolution.

Mr. Chawner offered the following amendment :

WHEREAS, The statutes now in use by the members of this House are second-hand books and would not sell for more than four or five dollars per sett ; therefore be it

Resolved, That the Doorkeeper be authorized to return the receipts for the same on the presentation of the books or on payment of six dollars per sett.

Mr. Yaryan offered the following substitute :

Resolved, That the statutes of Indiana published by Davis, furnished members of the House, be placed in the hands and care of the State Librarian and by him preserved for the use of the next Legislature.

Mr. Lehman moved the previous question.

Which was seconded by the House and the main question ordered, being upon the substitue offered by Mr. Yaryan.

Messrs. Copeland and Ashby demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ashby, Austin, Baxter, Branyan, Bumgarner, Carlton, Compton, Cook, Copeland, Craft, Elwell, Foster of Allen, Freeman, Fromm, Gossman, Grubbs, Harris, Harper, Hauss, Henderson, Hosmer, Kennedy of Union, Koontz, Langdon, Leeper, Lockhart, Madden, Marsh, Moorman, McCarty, McGaughey, Oglebay, Peelle, Rea, Reno, Riley, Smith, Thompson of Elkhart, Thompson of Howard, Welborn, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—46.

Those who voted in the negative were Messrs. Albert, Askren, Benz, Butler, Carr, Carson, Chawner, Coffman, Collins, Cooley,

Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Garver, Guthrie, Hatfield, Highway, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kimmell, Lanham, Lehman, Little, Mathews, Merriman, Paige, Perigo, Sailors, Scott, Spencer, Stewart, Thomas, Warrum and Whitehead—38.

So the substitute was agreed to.

Mr. Thompson of Elkhart offered the following resolution :

Resolved by the House, the Senate concurring, That a committee of two on the part of the House and two on the part of the Senate be appointed, asking His Excellency, Governor Williams, whether he has anything further to communicate to this General Assembly.

Which was adopted, and the Speaker appointed Messrs. Thompson of Elkhart and Marsh such committee.

Mr. Henderson offered the following resolution :

Resolved, That Clinton C. Riley, Principal Journal Clerk, be allowed the sum of one hundred dollars extra compensation.

Which was adopted.

Mr. Riley moved to reconsider the vote by which the resolution offered by Mr. Moorman, on the subject of temperance, was lost.

Mr. Lehman moved to lay the motion to reconsider on the table.

The ayes and noes were demanded by Messrs. Chawner and Riley.

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Branyan, Coffman, Collins, Compton, Conley, Cook, Cooley, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Johnson of Carroll, Langdon, Lehman, McCarty, Paige, Perigo, Rea, Reno, Spencer, Stewart, Wellborn, Whitehead and Johnson of Dearborn—38.

Those who voted in the negative were Messrs. Baxter, Benz, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Crumpacker, Garver, Grubbs, Guthrie, Harris, Harper, Highway, Houghton, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Kóontz, Lanham, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, McGaughey, Oglebay, Peelle, Riley, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Warrum, Wells, Yaryan, Zimmerman and Mr. Speaker—48.

So the motion to lay the motion to reconsider upon the table did not prevail, and the motion to reconsider prevailed.

The question recurring upon the adoption of the resolution :

Mr. Lehman moved that the resolution be laid upon the table.

Upon which motion Messrs. Moorman and Lehman demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Austin, Branyan, Carlton, Carr, Coffman, Compton, Conley, Cook, Cooley, Crumpacker, Dannettell, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Johnson of Carroll, Johnson of Dearborn, Lehman, McCarty, Paige, Perigo, Rea, Keno, Spencer, Welborn, Whitehead—34.

Those who voted in the negative were Messrs. Baxter, Benz, Bumgarner, Butler, Cary, Chawner, Cole, Collins, Copeland, Craft, Elwell, Foster of Monroe, Freeman, Garver, Guthrie, Harris, Harper, Highway, Houghton, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, McGaughey, Oglebay, Peelle, Riley, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Warrum, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—51.

So the motion to lay the resolution upon the table did not prevail.

Mr. Moorman moved the previous question, which was seconded by the House, and the main question ordered.

The resolution failed of adoption.

Mr. Foster of Monroe offered the following resolution :

Resolved, That the State Superintendent of Public Instruction be and the same is hereby instructed to codify the school laws of the State, with such alterations and amendments as will make the law harmonious and compact, and report the same to the House of Representatives of the next General Assembly: *Provided*, The same shall be done without cost to the State.

Which was adopted.

Mr. Yaryan, from the committee on ways and means, submitted the following report :

MR. SPEAKER:

Your committee on ways and means, under instruction of the House, have prepared and beg leave to submit the following resolution, providing for the payment of various claims and allowances

on account of expenses, and employes of the House, not otherwise provided for :

WHEREAS, This General Assembly has passed a bill, making appropriations for its own expenses ; and

WHEREAS, It is provided in such bill that, besides the expenses allowed by law, additional allowances made by resolution of either house shall be paid out of such appropriations ; and

WHEREAS, The provisions of law do not sufficiently define the pay of employes of the House ; and

WHEREAS, There are numerous expenses of the House which can only be provided for by resolution, as contemplated by said appropriation bill ; therefore,

Resolved, That there is hereby allowed, as legislative expenses, and as additional compensations allowed by the House, the sums named, for the purposes mentioned herein ; and that the Speaker of the House be authorized and requested to issue his warrant on the appropriation made for legislative expenses, and the Auditor to pay the same out of said appropriation, as follows :

1. To Browning and Sloan, for disinfectants furnished the House, \$4.00.
2. To Spiegel & Thoms, for tables, sash cords and repairs, \$23.50.
3. To John Headland, \$12.00 for desk for Clerk in House.
4. To Baker & Co., for committee rooms for the House in the Grand Hotel, \$300.
5. To J. C. Dunn, for gas fittings, thawing and repairing water pipes, and plumbing work for House, \$54.80.
6. To C. Kindler, for locks, keys and repairing for House, \$33.10.
7. To McOuat, Foote & Co., for coal hod, water bucket, wash pan, paste cup, and repairing for House, \$3.95.
8. To Franklin Life Insurance Company, for rent of two rooms for Clerk of House for sixty days, \$75.00.
9. To Storey, New & Co. for two padlocks, \$2.50.
10. To the Indianapolis Journal Co., for printing bills, and for stationery furnished to committees, \$240.88.
11. To George Huffman, for repairing doors in House, \$3.00.
12. To Yohn & Porter, for letter press for Clerk of House, \$6.75.
13. To Cyrus T. Nixon, for two tons hard coal for rooms of Clerk, \$15.00.

14. To J. C. Gaunt, Assistant Doorkeeper, for expenses in attending committees to State Prisons at Michigan City and Jeffersonville, \$39.00.

15. To J. C. Bland, sweeper, Clara Shultz, paper-folder, Wm. H. Russell, spitton-cleaner, and Daniel Sullivan, water-closet cleaner, each \$1.00 per day additional to \$2.50 allowed them for their services during the session.

16. To Lewis Jenkins, as fireman and coal carrier, and Robert Nichols as special gate-keeper for House, the sum of \$3.50 each, for the session, per day.

17. To L. D. Baldwin, Doorkeeper, \$50.00 for expenses and special services for the House and committees.

18. To J. T. Beyer, for extra services as Minute Clerk of the House, \$100.00.

19. To Willie Townsend, Eddie Wright, Willie Sterrett, George Cobb, Thomas A. Scott and Frank Wagner, Pages of the House, 50 cents per day each, additional to the \$2.00 per day heretofore allowed.

20. To W. W. Curry, as Special Clerk of the committee of ways and means, under resolution of House, \$200.00.

21. To Frank White, for four days service as Enrolling Clerk \$20.00, by resolution of the House.

Resolved, That the Clerk of the House certify this resolution to the State Auditor.

Mr. Copeland moved the following amendment:

I move to strike out the additional pay to William Sullivan, water closet attendant, and Clara Shultz, the paper folder, as we believe that \$2.50 per day now allowed by the law to be ample and sufficient for the service they have rendered, being \$76.75 per month.

Which on Mr. Gossman's motion was laid upon the table.

The resolution was then adopted.

Mr. Hatfield offered the following resolution:

Resolved, That the thanks of the House are due to Cyrus T. Nixon, Principal Clerk, for the faithful discharge of his official duties, and for courtesies extended to members without party distinction.

Which was unanimously adopted by a rising vote.

Mr. Thompson of Elkhart, from the select committee appointed

to wait upon His Excellency, the Governor, submitted the following report :

MR. SPEAKER :

Your committee appointed to confer with His Excellency, the Governor, have conferred with him, and report that he has further communication to make to the General Assembly, and will make them at an early hour.

The following Senate concurrent resolution was taken up :

WHEREAS, The Board of Control of the House of Refuge for juvenile offenders, together with the Attorney General, have agreed with Francis B. Ainsworth and the sureties on his bond, as follows, to-wit :

WHEREAS, Francis B. Ainsworth was heretofore appointed, and qualified by competent authority, as superintendent of the House of Refuge for juvenile offenders, and acted as such for the State of Indiana.

AND WHEREAS, in order to qualify as such superintendent, and the said Ainsworth as principal, and Dandridge H. Oliver, William I. Ripley, William I. Haskitt and William J. Johnson, assurers, executed two certain bonds to the State of Indiana, conditioned for the faithful discharge by said Ainsworth of his duties according to law, as such superintendent.

AND WHEREAS, The said Ainsworth had ceased to be and to act as such superintendent before the month of November, one thousand eight hundred and seventy-six, and the Board of Control of said House of Refuge claiming, on behalf of the State of Indiana, that said Ainsworth was indebted to said State, upon his said official bonds, in a large sum of money, authorized and instructed the Attorney General of said State to bring suit on said bonds, on behalf of the State ; and accordingly, in the month of November, one thousand eight hundred and seventy-six, the said Attorney General caused to be filed in the Superior Court of Marion County, Indiana, two certain complaints, and service of summons to be had thereon in two certain civil actions upon said official bonds, on behalf of the State, on relation of said Board of Control, and of said Board of Control and of said Attorney General, against said Ainsworth and his sureties on said bonds.

AND WHEREAS, After the commencement of said actions, and in order to adjust the matters and things therein embraced, the said Board of Control, by its President, duly authorized to act in its

behalf, and the said Attorney General, representing the interests of the State, and the said defendants in said action, met together and agreed upon terms of settlement of said matters, as herein shown below. Now, therefore, this agreement, made on the 8th day of December, A. D. 1876, between the Board of Control of said House of Refuge, and said Attorney General for said State of Indiana, of the first part, and said Francis B. Ainsworth, Dandridge H. Oliver, William I. Haskit, William I. Ripley and William J. Johnson, of the second part, *Witnesseth*, That there is found to be due and owing from said Ainsworth, as Superintendent, for matters accrued since the — day of —, 1876, the sum of nine thousand and thirty-two dollars and thirty cents: that on or before the 20th day of December, 1876, the said Ainsworth, in consideration of fifty-five hundred dollars of said indebtedness, shall cause to be executed to a trustee for said State good and sufficient warranty deeds of conveyance in fee simple of certain lands situate in the county of Hendricks, and State of Indiana, as follows, to-wit: Lands conveyed by John T. Strong and wife, to said Ainsworth, on the 9th day of April, 1875, and recorded in record 44, page 530, of said county, also lands conveyed to said Ainsworth by Matilda Harbaugh and husband, on the 11th day of May, 1875, and recorded in record 42, page 538, of said county; also, lands conveyed to said Ainsworth by Harris Almond and wife, on the 12th day of April, 1875, and recorded in record 42, page 320, of said county, and, also, lands conveyed to said Ainsworth by David Meekin and wife, on the 27th day of July, 1875 and recorded in record 42, page 540, of said county. That said lands shall be free from all incumbrances, judgments, liens, mortgages, and all other liens whatsoever, when conveyed by said Ainsworth to the Trustees of said State, as above mentioned, and that said Ainsworth shall furnish an abstract of title of said lands. That the said Ainsworth shall pay to said State on or before the 8th day of March, 1877, the sum of \$3,532.30, without relief from valuation or appraisal laws of said State. That in the event the Legislature of said State, at its next ensuing session, should not confirm and accept their terms of settlement agreed upon herein, and ratify the same with the approval of the Governor of the State, then the said named sureties, jointly and severally waive any and all defenses to action or actions on said official bonds, which might arise from the making of this agreement, or any acts done or to be done

in pursuance of the terms thereof, and agree to estop themselves from setting up any such defenses in any suits on said bonds, and this agreement is to be null and void, except as to said waiver, above stated on the part of said parties of the second part, and except, also, as to the payment of said sum of \$3,530.30, which is to be paid according to this agreement, and such payment to be a credit accordingly upon said indebtedness of said Ainsworth; and it is understood that if the parties of the second part fail to keep and perform the terms of this agreement the same shall not be obligatory upon the party of the first part in any respect, and this agreement shall be no bar or defense to any suits upon said bonds. The said suits, in said Marion Superior Court, are to be dismissed without prejudice to the rights of the State in any particular; and as soon as the said deeds of conveyance are executed to the Trustees in trust for the State, as aforesaid, the said suits in the Marion Superior Court are to be dismissed as aforesaid.

In Witness Whereof, The said parties have hereunto set their hands and seals the day and year above written.

BOARD OF COMMISSIONERS
OF HOUSE OF REFUGE,

By JOHN P. EARLY, President. [Seal.]

C. A. BUSKIRK. [Seal.]

FRANCIS B. AINSWORTH. [Seal.]

WILLIAM J. JOHNSON. [Seal.]

DANDRIDGE H. OLIVER. [Seal.]

WILLIAM I. RIPLEY. [Seal.]

Therefore be it Resolved by the Senate the House concurring therein, That the contract made by the Board of Commissioners of the House of Refuge for Juvenile Offenders, and the Attorney General upon the part of the State, and Francis B. Ainsworth, William J. Johnson, Dandridge H. Oliver and William I. Ripley, on the other part, is hereby ratified, and the said Attorney General and President of Board of Commissioners for the House of Refuge, authorized and instructed to carry out the provisions of said contract as therein set forth.

Which was adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to submit to the House of

Representatives for the signature of the Speaker thereof the following enrolled Senate Acts, to-wit :

Nos. 61, 326, 71, 65, 323, 46, 208, 201, 107, 98, 199, 195, 182, 200, 13, 106, 241, 41, 177.

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives for the signature of the Speaker thereof the following Enrolled Senate Acts: Nos. 77, 62 and 266.

And the same are herewith submitted.

Mr. Lehman offered the following resolution :

Resolved, That the thanks of this House are hereby tendered to L. D. Baldwin, our doorkeeper, for the kind and efficient manner in which he has discharged the difficult and arduous duties of his office.

Which was adopted.

The following message was received from the Senate, by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has concurred in the House resolution concerning the claim of the heirs of the estate of John P. Dunn. Also, in House resolution for the appointment of a committee to wait upon the Governor, and the President of the Senate has appointed on part of the Senate upon that committee, Messrs. Baxter and Hendricks.

Mr Langdon, from the committee on the judiciary, reported back Senate Joint Resolution No. 8, recommending its passage.

The report was concurred in, and the resolution being :

Senate Joint Resolution No. 8. A joint Senate resolution proposing amendment to section 6, article 10 of the Constitution of the State of Indiana.

Resolved by the Senate, the House of Representatives concurring, That the following amendment to the Constitution of the State of Indiana be and is hereby proposed: Amend section 6, article 10 of the Constitution so as to read as follows :

Section 6. No county, city, town or township shall hereafter subscribe for stock or become a stockholder, or owner in whole or in part, in any corporation, company or association, nor shall any county, city, town or township donate any money or property to, or assume any debts of, or give loan, pledge, or otherwise extend its

credit to, or in aid of any person, association, corporation or company, nor shall the General Assembly ever, in behalf of the State, assume the debts of any county, city, town or township, person, association, company or corporation whatever.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as "Amendment No. 8."

Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Branyan, Butler, Cary, Carlton, Carr, Chawner, Coffman, Collins, Compton, Craft, Dannettell, Davis, Endsley, Fosfer of Allen, Foster of Monroe, Fromm, Garver, Grubbs, Guthrie, Harris, Harper, Hauss, Henderson, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Madden, Marsh, Merriman, Moor- man, Morgan, Oglebay, Pelle, Perigo, Reno, Sailors, Scott, Sway- zee, Thompson of Elkhart, Thompson of Howard, Warrum, Wel- born, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker— 57.

Those who voted in the negative were Messrs. Albert, Austin, Baxter, Cole, Cook, Freeman, Girton, Gossman, Hubbard, Ken- nedy of Rush, Little, Mathews, McGaughey, Paige, Rea, Riley, Smith, Stewart and Wells—19.

So the joint resolution passed.

The question being, shall the title as read stand?

It was so ordered.

The following Senate concurrent resolution was taken up:

Resolved by the Senate, the House concurring, That the Board of Managers of the Insane Hospital, Deaf and Dumb Institution, Blind Asylum, House of Refuge, Female Reformatory Institution, and Soldiers' Orphans' Home, be required to cause the Superinten- dent of each of said institutions to file in the office of the Auditor of State, quarterly, a report of the receipts and expenditures in detail of their respective institutions, paying the receipts from all sources during the preceding quarter, into the State Treasury, such reports to be accompanied with the original itemized bill, approved and allowed by the different boards of said institutions for the past quarter; the correctness of said report to be certified to by the Superintendent of each of said institutions, and approved by one or more of the Directors or Managers. These reports to be made by

the tenth of each quarter following the quarter for which said report is made, and to begin on the 10th day of April, 1877.

Section 2. The Auditor of State is hereby required to examine all of said reports, and if found correct, to carefully place the same upon file in this office.

Said Auditor of State is further required to furnish each of said institutions all forms for blanks necessary for making such reports.

Mr. Yaryan moved the following amendment :

The net earnings, but the report to be so made as to show the gross earnings.

Which was agreed to, and the resolution as amended was adopted.

Mr. Kennedy of Union, from the joint committee on public libraries, submitted the following report :

MR. SPEAKER :

Your joint committee on public libraries, after due examination, beg leave to report that they find it in as good condition and as well cared for as the facilities provided the custodian will permit; and, further, that the annual additions to the library, to the amount of \$400 each, of the past two years, to the best of our information and judgment, have been judiciously appropriated.

Mr. Johnson of Carroll offered the following resolution :

Resolved, That we tender the thanks of this House to M. L. Johnson for the efficient and happy manner in which he has discharged the duties of First Assistant Doorkeeper.

Which was adopted.

Mr. Leeper offered the following resolution :

Resolved, That A. M. Scott, J. L. Sailors, A. A. Morrison, B. L. Harris, W. R. Oglebay, J. W. Davis and Ebenezer Cooley, members of the House, be allowed each the sum of thirty-nine dollars for their expenses while absent on business of the State, at the prisons North and South, and that the Speaker issue his warrant for the payment out of the legislative appropriation.

To which Mr. Yaryan offered the following substitute :

Resolved, That each member of the committee on affairs of the State prisons, be allowed eighteen dollars (\$18.09) for expenses in visiting the State Prison North, and twenty-one dollars (\$21.00) for expenses in visiting the State Prison South, and the same be paid

out of the special appropriations made to defray the expenses of the General Assembly.

Which substitute was adopted.

Mr. Garver, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to whom was referred a communication from the Common Council of the city of Indianapolis and a resolution offered by Mr. Craft, of Marion county, authorizing the city of Indianapolis, under the direction of the Common Council, to enter upon and use the two plats of ground known as the University Square and Governor's Circle, as public parks until otherwise ordered by the General Assembly of the State of Indiana, have considered the communication and resolution, and have directed me to report the resolution back with the recommendation that it be adopted.

Which report was laid upon the table, and the resolution withdrawn.

Mr. Foster, of Monroe, offered the following resolution :

Resolved, That James L. Johnson, John Houghton, John Chawner, Claude Mathews, Isaac Bumgarner and Robert C. Foster be, and are hereby, allowed the sum of twenty-five dollars and thirty cents each, for services as committee on education, being for actual expenses incurred in visiting the various educational institutions ; and that the Speaker draw his warrant for the amount out of the appropriation for legislative expenses.

Which was adopted.

Mr. Peelle offered the following resolution :

Resolved, That the thanks of this House be hereby tendered to the following members of the press, who have been with us daily since the commencement of this session, viz: D. S. Alexander, Cincinnati Gazette ; F. M. Creswell, Cincinnati Enquirer ; F. D. Mussey, Cincinnati Commercial ; W. P. Wolf, Indianapolis Sentinel ; John E. Vought, Indianapolis Journal ; O. O. Stealy, Louisville Courier-Journal ; J. W. Bingham, Chicago Times, and P. D. Hammond, Indianapolis Evening News, for the many courtesies we have received at their hands, and for their fair and impartial reports, from day to day, of our proceedings ; and we shall ever remember them with kindness and thanks.

Which was adopted.

Mr. Lehman offered the following resolution :

Resolved, That W. H. Thomson, Stephen Albert and J. C. Adams, members of the joint committee on public buildings on the part of the House, be allowed the sum of thirty-five dollars each, for their expenses in visiting the State Prisons North and South, and that the Speaker draws his warrant for the amount out of the special appropriation for legislative expenses.

Which was adopted.

Mr. Caey offered the following resolution :

Resolved, That John T. Cookus be allowed the sum of fifty dollars, for extra work as Warrant Clerk and Copying Clerk of the House.

Mr. Adams offered the following amendment to the resolution :

I move to amend by inserting, "and all the Assistant Clerks of House."

Mr. Lehman offered the following amendment to the amendment :

MR. SPEAKER :

I move to amend the amendment by including in the same the members of the House.

Which was not agreed to.

The question being upon the amendment offered by Mr. Adams, Messrs. Reno and Zehring demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Cary, Collins, Endsley and Garver—5.

Those who voted in the negative were were Messrs. Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Carlton, Carr, Chawner, Coffman, Cole, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Freeman, Fromm, Girton, Grubbs, Guthrie, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Langdon, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McGaughey, Paige, Rea, Reno, Riley, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—65.

So the amendment was not agreed to.

The question recurring upon the resolution, on motion by Mr. Reno, it was laid on the table.

Mr. Craft, from the committee on federal relations, submitted the following report :

MR. SPEAKER :

Your committee on federal relations, to whom was referred Senate Joint Resolution No. 16, instructing our Senators and requesting our Representatives in Congress to endeavor to obtain from Congress an appropriation for the improvement of White river, have had the same under consideration, and return it with the recommendation that it pass.

Which report was concurred in.

Senate Joint Resolution No. 16. A joint resolution instructing our Representatives in Congress to endeavor to obtain from Congress an appropriation for the improvement of the navigation of White River, in the State of Indiana. Be it

Resolved by the General Assembly of the State of Indiana, That our Senators in Congress be instructed, and our Representatives be requested to use all proper means to procure, an appropriation by Congress for the improvement of the navigation of White River from its mouth to the junction of the east and west branches, and as much higher as a survey shall demonstrate it to be practicable.

And that the Governor be requested to forward a copy of this resolution to each of said Senators and Representatives in Congress from this State.

Was read.

Mr. Yaryan offered the following amendment :

I move to strike out "White River" and insert "Pogue's Run."

Which was adopted.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Baxter, Bran-
yan, Crumpacker, Endsley, Henderson, Houghton, Johnson of Dear-
born, Kennedy of Rush, Koontz, Leeper, Marsh, McCarty and War-
rum—13.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Askren, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Garver, Gossman, Grubbs, Guthrie, Harris, Harper, Hatfield, Hauss, Hosmer, Lanham, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Paige, Pelle, Perigo,

Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—62.

So the joint resolution was lost.

Mr. Adams offered the following resolution :

Resolved, That the thanks of this House are hereby extended to the Assistant Clerks of the House of Representatives for their very efficient service rendered during this session of the General Assembly, and the uniformly courteous and accommodating manner with which they have treated the members of the House.

Which was adopted.

Mr. Davis offered the following resolution :

Resolved, That the thanks of this House are hereby tendered A. J. Gaunt, Assistant Doorkeeper, for his faithful services and gentlemanly deportment during the session.

Which was adopted.

Mr. Thomson of Miami, from the committee on federal relations, submitted the following report :

MR. SPEAKER :

Your committee on federal relations, to whom was referred Senate Joint resolution No. 13, instructing our Senators and requesting our Representatives in Congress to vote against any bill in Congress loaning the credit of the Government to a railroad company, have considered the same, and return it with the recommendation that it do pass.

Which report was concurred in.

Senate Joint Resolution No. 13. A joint resolution instructing our Senators and requesting our Representatives to vote against any bill in Congress loaning the credit of the Government to a railroad company.

WHEREAS, There is a bill now before Congress proposing to loan the credit of the United States by indorsing the bonds of a railroad company and guaranteeing their payment, principal and interest, for a large amount of money and interest payable for a long period of time.

AND WHEREAS, The public debt is already a heavy burden upon our people and a great drain upon our resources, and tends in its operations to exhaust the producer and tax payer, and enrich the holders of the debt.

AND WHEREAS, The finances of the country are seriously embarrassed, the confidence of the public in the good faith and integrity of private corporations greatly impaired, and great fears are had that the bad precedent of increasing the public debt in the time of peace may be established ; therefore,

Be it resolved by the General Assembly of the State of Indiana : That our Senators in Congress are hereby instructed, and our Representatives are earnestly requested, to vote against any bill that proposes, in any way, to loan or give the credit of the government of the United States to a railroad company, for any purpose whatever.

That the Governor of the State is requested to forward a copy of this resolution to each of our Senators and Representatives in Congress.

Was read.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Benz, Branyan, Cary, Carlton, Carr, Chawner, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Monroe, Fromm, Garver, Grubbs, Guthrie, Harris, Hatfield, Hauss, Highway, Hosmer, Harper, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Koontz, Leeper, Lehman, Little, Lockhart, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—69.

Those who voted in the negative were Messrs. Bumgarner, Cole, Foster of Allen, Freeman, Lanham, Madden and Thompson of Howard—7.

So the joint resolution passed.

The question being, shall the title as read stand ?

It was so ordered.

Mr. Leeper, from the committee on ways and means, submitted the following report :

MR. SPEAKER:

Your committee on ways and means, to whom was referred Engrossed Senate Bill No. 119, entitled "An act to amend section 203, of an act entitled 'an act to provide for a uniform assessment

of taxes,"' etc., have had the same under consideration, and have directed me to report the same back with the recommendation that that it do pass.

Which report was concurred in and the bill placed upon the calendar.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills Nos. 352 and 284, and the same are herewith returned to the House.

Mr. Hubbard, from the select committee on an asylum for feeble minded children, submitted the following report :

MR. SPEAKER :

The select committee, to whom was referred House Bill No. 408, "a bill to provide for the incorporation and support of an asylum for feeble-minded children, have had the same under consideration, and directed me to report the same back to the House, with the recommendation that it do pass.

Which report was concurred in, and the bill placed upon the calendar.

Mr. Foster of Monroe, from the committee on cities and towns, submitted the following report :

MR. SPEAKER :

Your committee on cities and towns, to whom was referred House Bill No. 502, have had the same under consideration and recommend its passage, it being a bill to legalize certain acts of the Board of Trustees of Williamsport, county of Warren.

The report was concurred in and the bill placed upon the calendar.

Mr. Chawner offered the following concurrent resolution :

WHEREAS, The punishment of death is a relic of barbarism, opposed to our present state of civilization, signally fails in its avowed purpose to deter from the commission of crime, and moreover largely tends to the degradation and demoralization of society ; therefore, be it

Resolved by this House of Representatives, the Senate concurring therein, That the punishment of death should be abolished, and imprisonment for life substituted therefor.

The question being upon the adoption of the resolution.

Messrs. Chawner and Crumpacker demanded the ayes and nays.

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Compton, Cook, Cooley, Copeland, Craft, Elwell, Foster of Monroe, Girton, Guthrie, Harris, Harper, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Union, Kimmell, Little, Lockhart, Madden, Mathews, Merriman, McGaughey, Oglebay, Peelle, Sailors, Smith, Thompson of Elkhart, Thomson of Miami, Warrum and Zimmerman—42.

Those who voted in the negative were Messrs. Albert, Austin, Baxter, Benz, Coffman, Cole, Conley, Dannettell, Davis, Foster of Allen, Freeman, Fromm, Garver, Gossman, Hauss, Houghton, Johnson of Dearborn, Kennedy of Rush, Koontz, Langdon, Lanhams, Leeper, Marsh, Moorman, Morgan, McCarty, Paige, Perigo, Rea, Reno, Riley, Scott, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Wells, Whitehead, Zehring and Mr. Speaker—41.

So the resolution was not adopted.

Mr. Leeper offered the following resolution :

Resolved, That the thanks of this House are due to M. A. Gelwick, clerk of the first section of committees, for the able and prompt manner in which he has discharged his duties.

Which was adopted.

Mr. Hall, from the conference committee on House Bill No. 550, submitted the following report :

The committee on conference, appointed by the action of both Houses, to consider the general appropriation bill, have met in pursuance of such appointment, and have considered such general appropriation, and recommend that the House recede from its amendments to the bill as reported by the ways and means committee of the House.

Amend clause 9, section 2, by striking out all between the word "sixty," in the eighth line, and the word "fifty" in the ninth line, and insert in lieu thereof, "sixty-two thousand seven hundred and eight dollars."

Amend clause 9, section 2, by striking out the word "two" in the fifth line, and insert the word "three."

Amend clause 6, section 4, by striking out the words "two thousand," and inserting the words "three thousand," in lines third and fourth, in lieu thereof.

Amend clause 6, section 4, by striking out the word "four" in the twelfth line, and insert the word "nine."

Amend clause 9 of section 4 by striking out the word "two" in line 3, and insert the word "three" in lieu thereof.

Amend clause 9 of section 4 by striking out the word "five" in line 7 and insert the word "seven."

Amend clause 9 of section 4 by inserting the words "five hundred" after the word "thousand" in line 19.

Amend clause 9 of section 4 by striking out the word "two" in line 8 and inserting the word "three" in lieu thereof, and amend the same clause of same section by inserting after the word "thousand" in line 15 the words "five hundred," further amend same clause and section in line 16 by inserting for the word "five" the word "eight," further amend same clause and section by striking out "five" and inserting the word "eight" in line 19, further amend clause 9 section 4 by inserting the word "three" in lieu of the word "two" in line 10.

Amend line 15 in section 4 by striking out the word "two" and inserting the word "three."

Amend line 11 of clause 10 section 4 by striking out the word "six" and inserting the word "seven."

Amend line 11 of clause 12 section 4 by striking out the word "nineteen" and inserting "twenty-one."

Amend line 18 of clause 12 section 4 by inserting after the word "support" the words "of inmates or."

Amend clause 14 of section 4, by striking out the words "twenty-five," in line 19 and inserting in lieu thereof the word "ten."

Amend clause 9 of section 2, by striking all between the word "thousands," in line 13, and the word "fifty" in line 14, and insert in lieu thereof the words "five hundred and forty-one dollars and sixty-six cents."

Amend clause 9, in section 2, strike out the word "five" in line 15, and insert in lieu thereof the word "eight."

All its amendments as made to such bill so amended by the House, and that the bill after the such receding action of both Houses, be amended to read as follows; and when so amended your committee on conference on the part of both Houses do recommend its passage :

Amend clause 9 of section 2 by striking out the word "two" and inserting the word "three" in lieu thereof.

Amend clause 9 of section 2 by striking out all between the

words "sixty" in line 8, and the word "fifty," in line 9, and inserting in lieu thereof the words "sixty-two thousand seven hundred and eight dollars."

Amend clause 10 of section 2, strike out all between the word "State," in line 18, and the word "thirds," in line 21, and insert in lieu thereof the words "four thousand six hundred and sixty-six and two-thirds dollars."

Amend clause 10, section 2, by striking out between the word "thousand" in line 5, and the word "third" in line 6, and insert in lieu thereof the words "seventeen hundred and fifty dollars."

Amend clause 10, section 2, by striking out all between the word "all" in line 21 and "dollars" in line 23, and insert in lieu thereof "eight thousand and fifty," and further amend by adding the following sections to the bill:

Section 6. The officers for whom a contingent or incidental fund is herein provided, shall render to the next General Assembly, under oath, an itemized account of the amounts thereof expended, and the balance at each fiscal year shall revert to the general fund, and also the following:

Section 7. That there is hereby appropriated the following sums for the several purposes to the several persons and institutions named, and subject to the mode of payment prescribed:

1. For the payment of the indebtedness of the State Prison South, contracted prior to December 15, 1876, one hundred and twenty thousand dollars; for deficit of income for support to April 1, 1877, ten thousand dollars; for new foundry shop, six thousand dollars: *Provided*, That the Governor be authorized to appoint a commission of not more than three persons with power to administer oaths and to take testimony, who are authorized and directed to investigate all claims made against the said prison on account of the aforesaid debts and deficits, and to certify those they shall find just and legal, and the Auditor of State shall issue his warrants upon the treasury therefor not in excess of said appropriation; said commission shall not allow interest on any claim, nor allow or certify any claim when the owner thereof will not accept the award and in full for said claim, and the said commissioners shall be allowed actual traveling expenses to Jeffersonville and return, and shall be allowed six dollars per day for the time actually and necessarily employed in the discharge of their duties, for which per diem and mileage the Auditor shall issue his warrant on the certificate of the

commission to be paid out of said appropriation. The appropriation for foundry shall be drawn by the Warden when the money is needed for building, and not sooner.

2. For the State Prison North, to complete the cell house, \$50,000 and for additional workshop, \$10,000, which shall be drawn by the Warden from time to time, as the same is needed for building, and not sooner.

3. For the new building of the insane hospital, \$125,000 for the year 1877, and \$100,000 for the year 1878: *Provided*, That these appropriations shall be drawn only on warrants issued by the President and Secretary of the board of commissioners, reciting the material, labor, or contract for which it is to be paid, and directed to the Auditor of State, who shall issue his warrant upon the treasurer of State, as provided by law, and no part of this money shall be drawn from the treasury for the purpose of loan or deposit, either with or without interest, and it shall be the duty of the commissioners to so apply the money appropriated as to finish the building by sections.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate does not concur in the amendments of the the House to the Senate concurrent resolution making allowance for extra services and expenses to the members of the committee on benevolent institutions, the committee on education, the joint committee on public buildings, the House committee on education, and the House committee on prisons.

Pending the further consideration of the report, on motion by Mr. Adams, the House adjourned until 7:30 o'clock P. M.

EVENING SESSION,

MONDAY, MARCH 5, 1877, 7:30 P. M.

The House met pursuant to adjournment, with the Speaker in the chair.

Message from the Senate, by Mr. Buchanan, its Secretary :

MR. SPEAKER :

I am directed by the President of the Senate, to inform the House of Representatives, that he has signed the following enrolled Senate acts, to-wit :

Enrolled Senate Acts Nos. 177, 71, 323, 65, 352, 46, 208, 61, 326, 201, 107, 98, 195, 182, 200, 13, 106, 241, 41, 199, 63, 296, 89, 320, 43, 77, 62 and 266, and joint resolution No. 15.

Also, that the President of the Senate has signed the following House acts, to-wit :

Nos. 548, 284 and 422. Also, Enrolled Senate Acts Nos. 63, 320, 296, 89 and 43.

And the same are submitted herewith.

Mr. Morgan offered the following resolution :

Resolved, That Alfred B. Seibert, Postmaster of the House, and Captain Joseph Jordan, Assistant Doorkeeper, have performed the duties of their respective positions in a manner which entitles them to the commendation, "Well done, good and faithful servants," which commendation is hereby given to them.

Which was adopted.

Mr. Scott offered the following resolution :

WHEREAS, The honorable members of the Senate of this General Assembly have, by resolution, decided that they were entitled to the use of a copy of Davis' Revised Statutes during the term for which they were elected ; therefore,

Resolved, That the members of this House are entitled to the use of the copies of said Statutes now in their possession during the two years for which they were elected.

The resolution was not adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the State has concurred in the report of the committee of free conference on House Bill No. 550, the same being the General Appropriation Bill.

Mr. Carlton offered the following resolution :

Resolved, That John T. Cookus be allowed fifty dollars for extra services as warrant clerk and copying clerk of the House.

Which on motion by Mr. Marsh was laid upon the table.

Mr. Craft offered the following resolution :

Resolved, That inasmuch as section 14 article 5 of the constitution declares that no bill shall be presented to the Governor within two days next previous to the final adjournment of the General Assembly; therefore, believing the passage of any bill at this time would be unconstitutional we take no further action upon the appropriation bill.

The question being upon the adoption of the resolution.

Mr. Kennedy of Rush moved that the House do now adjourn.

Upon which motion the ayes and noes were demanded by one-tenth of the members present.

Those who voted in the affirmative were Messrs. Baxter, Butler, Cary, Cole, Cooley, Craft, Dannettell, Elwell, Endsley, Garver, Guthrie, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Langdon, Little, Lockhart, Merriman, Moorman, Morgan, Rea, Reno, Scott, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami and Whitehead—30.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Askren, Benz, Branyan, Bumgarner, Carlton, Carr, Chawner, Coffman, Collins, Compton, Cook, Copeland, Crumpacker, Davis, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Harper, Hauss, Henderson, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Kimmell, Koontz, Lanham, Leeper, Lehman, Marsh, Mathews, McCarty, Oglebay, Paige, Peelle, Perigo, Riley, Smith, Spencer, Stewart, Viehe, Warrum, Welborn, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—57.

So the motion to adjourn did not prevail.

Mr. Compton moved the previous question.

Which was seconded by the House and the main question ordered.

The question being upon the adoption of the resolution.

By permission of the House, it was withdrawn by Mr. Craft.

Mr. Hall moved that the report of the conference committee be concurred in.

Mr. Spencer moved the previous question, which was seconded, and the main question ordered, being, shall the report of the conference committee be concurred in?

Messrs. Langdon and Marsh demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Benz, Branyan, Carlton, Carr, Coffman, Collins, Compton, Conley, Cook, Davis, Freeman, Fromm, Girton, Gossman, Hall, Henderson, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Koontz, Leeper, Lehman, Marsh Mathews, McCarty, Oglebay, Paige, Perigo, Riley, Spencer, Stewart, Viehe, Warrum, Welborn, Whitehead and Mr. Speaker—40.

Those who voted in the negative were Messrs. Adams, Baxter, Bumgarner, Butler, Cary, Chawner, Cole, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Garver, Grubbs, Guthrie, Harris, Harper, Hauss, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Little, Lockhart, Madden, Merriman, Moorman, Morgan, McGaughey, Peelle, Rea, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Yaryan, Zehring and Zimmerman—49.

So the report was not concurred in.

The following message from his Excellency, Governor Williams, was delivered to the House by his private secretary, Samuel R. Downey :

The Honorable, the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House of Representatives that he has this day approved and signed House enrolled bills numbered and entitled as follows :

No. 38. An act to amend sections 132 and 133 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct form of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," Approved June 18, 1852.

No. 234. An act supplemental to an act, approved March 14, 1867, entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto.

No. 352. An act to amend an act entitled "An act authorizing

the appointment of short-hand reporters for certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing the duties and compensation of such reporters."

No. 404. An act to legalize the acts of the incorporation of the town of Noblesville, Hamilton county, Indiana, and the town of Fairland, Shelby county, Indiana, and to legalize each and every official act of the several boards of trustees of said corporations, and all other acts of each and every officer of the same under "An act for the incorporation of towns, defining their powers, providing for the election of the officers, and declaring their duties," approved June 11, 1852, and all by laws, rules, regulations and proceedings adopted in pursuance thereof.

No. 548. An act to amend section 5 of an act to amend an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and creating the Thirty-ninth judicial circuit, providing for the appointment of a judge thereof, and repealing all laws and parts of laws inconsistent herewith, and declaring an emergency," approved March 5, 1875.

No. 422. An act to amend section 60, and to repeal the 290th section of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872.

And that he has caused said acts to be deposited in the office of the Secretary of State.

Also, that he has received and has under consideration House Enrolled Bills numbered 37 and 284.

SAMUEL R. DOWNEY,

Secretary.

EXECUTIVE DEPARTMENT, March 5, 1877.

Mr. Langdon moved that the House do now adjourn.

Upon which motion the ayes and noes were demanded by one-tenth of the members present.

Those who voted in the affirmative were Messrs. Adams, Baxter, Benz, Bumgarner, Cary, Cole, Craft, Dannettell, Elwell, Endsley, Garver, Girton, Guthrie, Highway, Hubbard, Kennedy of Rush,

Kennedy of Union, Langdon, Lanham, Little, Lockhart, Merri-
man, Moorman, Morgan, Perigo, Rea, Reno, Sailors, Scott,
Thomas, Thompson of Howard, Thomson of Miami, Whitehead,
Yaryan and Mr. Speaker—35.

Those who voted in the negative were Messrs. Albert, Ashby,
Askren, Austin, Branyan, Butler, Carlton, Carr, Chawner, Coffman,
Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker,
Davis, Foster of Monroe, Freeman, Fromm, Gossman, Grubbs,
Hall, Harris, Harper, Hauss, Henderson, Hosmer, Houghton, John-
son of Carroll, Kimmell, Koontz, Leeper, Lehman, Marsh, Math-
ews, McCarty, McGaughey, Oglebay, Peelle, Riley, Smith, Spen-
cer, Stewart, Swayzee, Thompson of Elkhart, Viehe, Warrum, Wel-
born, Wells, Zehring and Zimmerman—53.

So the motion did not prevail.

The following message, from His Excellency, Governor Williams,
was delivered to the House by his Private Secretary, Mr. Dow-
ney :

The Honorable, the Speaker of the House of Representatives :

By direction of the Governor, I have the honor to communicate
to the House of Representatives a copy of his proclamation of
this day.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, March 5, 1877.

A proclamation by the Governor convening the Fiftieth General
Assembly in Special Session, given March 5, 1877 :

THE STATE OF INDIANA,
EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 5, 1877.

The General Assembly having failed to make adequate provision
for the expenses of the State Government during the ensuing two
years, and to pass bills of importance remaining on the files of the
two Houses at the close of the session ending with this day, it is the
opinion of the Governor that the public welfare requires a brief
Special Session for the completion of pending business; therefore, I,
James D. Williams, Governor of the State of Indiana, do hereby
issue this, my proclamation, and call upon the General Assembly of

the State of Indiana to convene in Special Session on Tuesday, March 6, A. D. 1877, at 9 o'clock in the forenoon.

Witness the seal of the State and the signature of the
[SEAL.] Governor.

JAMES D. WILLIAMS,
Governor of Indiana.

By the Governor:

JOHN E. NEFF, Secretary of State.

The Speaker announced that he had signed Enrolled Acts of the Senate Nos. 199, 41, 241, 106, 13, 200, 182, 195, 98, 107, 201, 208, 46, 323, 65, 71, 326, 61, 177, 77, 266 and 62.

Also, Enrolled House Acts Nos. 422, 548, 284 and 352.

Also, Senate Joint Resolutions Nos. 15, 4, 7, 6, 19, 3 and 1.

The Speaker submitted the following report:

*To the House of Representatives of the
General Assembly of Indiana:*

In obedience to the law, the undersigned submits a detailed report of the warrants drawn by him during the session, in favor of members, officers and employes, showing the number of warrants drawn, the amount of each warrant, and to whom payable; and also, the aggregate amount of all warrants drawn in favor of each person, and the aggregate amount of all warrants drawn in favor of all persons.

JOHN OVERMYER,
Speaker of the House of Representatives.

Aggregate amount of warrants drawn by the Speaker in favor of the members of the Fiftieth General assembly of the State of Indiana, of the session of 1877, thirty-six thousand six hundred dollars (\$36,600) on account of per diem; and seven thousand two hundred and eighty-four dollars (\$7,284) on account of mileage. Total mileage and per diem, forty-three thousand eight hundred and eighty-four dollars (\$43,884.)

January	15.	J. C. Adams, per diem.....	\$72 00
January	22.	J. C. Adams, per diem.....	42 00
January	29.	J. C. Adams, per diem.....	42 00
February	5.	J. C. Adams, per diem.....	42 00
February	19.	J. C. Adams, per diem.....	42 00
February	26.	J. C. Adams, per diem.....	42 00
March	5.	J. C. Adams, per diem.....	42 00

Total..... \$366 00

January	15.	Stephen Albert, mileage.....	\$55 00
January	15.	Stephen Albert, per diem.....	72 00
January	22.	Stephen Albert, per diem.....	42 00
January	29.	Stephen Albert, per diem	42 00
February	5.	Stephen Albert, per diem.....	42 00
February	12.	Stephen Albert, per diem.....	42 00
February	19.	Stephen Albert, per diem.....	42 00
March	5.	Stephen Albert, per diem.....	84 00
Total.....			<u>\$421 00</u>

January	15.	Samuel Ames, mileage	\$70 00
January	15.	Samuel Ames, per diem.....	72 00
January	22.	Samuel Ames, per diem.....	42 00
January	29.	Samuel Ames, per diem.....	42 00
February	5.	Samuel Ames, per diem.....	42 00
February	12.	Samuel Ames, per diem.....	42 00
February	19.	Samuel Ames, per diem.	42 00
March	5.	Samuel Ames, per diem.....	84 00
Total.....			<u>\$436 00</u>

January	15.	F. W. Ashby mileage.....	\$110 80
January	15.	F. W. Ashby per diem.....	72 00
January	22.	F. W. Ashby per diem.....	42 00
January	29.	F. W. Ashby per diem.....	42 00
February	5.	F. W. Ashby per diem.....	42 00
February	12.	F. W. Ashby per diem.....	42 00
February	19.	F. W. Ashby, per diem.....	42 00
March	5.	F. W. Ashby per diem.....	84 00
Total.....			<u>\$476 80</u>

January	15.	Smith Askren, mileage.....	\$53 60
January	15.	Smith Askren, per diem.....	72 00
January	22.	Smith Askren, per diem.....	42 00
January	29.	Smith Askren, per diem.....	42 00
February	5.	Smith Askren, per diem.....	42 00
February	12.	Smith Askren, per diem.....	42 00
February	19.	Smith Askren, per diem.....	42 00
March	5.	Smith Askren, per diem.....	84 00
Total.....			<u>\$419 60</u>

January	15.	C. B. Austin, mileage.....	\$50 00
January	15.	C. B. Austin, per diem.....	72 00
January	22.	C. B. Austin, per diem.....	42 00
January	29.	C. B. Austin, per diem.....	42 00
February	5.	C. B. Austin, per diem.....	42 00
February	12.	C. B. Austin, per diem.....	42 00
February	19.	C. B. Austin, per diem.....	42 00
March	5.	C. B. Austin, per diem.....	84 00

Total... \$416 00

January	15.	J. R. Baxter, mileage.....	\$36 00
January	15.	J. R. Baxter, per diem.....	72 00
January	22.	J. R. Baxter, per diem.....	42 00
January	29.	J. R. Baxter, per diem.....	42 00
February	5.	J. R. Baxter, per diem.....	42 00
February	12.	J. R. Baxter, per diem.....	42 00
February	19.	J. R. Baxter, per diem.....	42 00
March	5.	J. R. Baxter, per diem.....	84 00

Total..... \$402 00

January	15.	John Benz, mileage.....	\$74 00
January	15.	John Benz, per diem.....	72 00
January	22.	John Benz, per diem.....	42 00
January	29.	John Benz, per diem.....	42 00
February	5.	John Benz, per diem.....	42 00
February	12.	John Benz, per diem.....	42 00
February	19.	John Benz, per diem.....	42 00
March	5.	John Benz, per diem.....	84 00

Total..... \$440 00

January	15.	J. C. Branyan, mileage.....	\$43 20
January	15.	J. C. Branyan, per diem... ..	72 00
January	22.	J. C. Branyan, per diem.....	42 00
January	29.	J. C. Branyan, per diem.....	42 00
February	5.	J. C. Branyan, per diem.....	42 00
February	12.	J. C. Branyan, per diem.....	42 00
February	19.	J. C. Branyan, per diem.....	42 00
March	5.	J. C. Branyan, per diem... ..	84 00

Total..... \$419 20

January 15.	Isaac Bumgarner, mileage.....	\$27 20
January 15.	Isaac Bumgarner, per diem.....	72 00
January 22.	Isaac Bumgarner, per diem.....	42 00
January 29.	Isaac Bumgarner, per diem.....	42 00
February 5.	Isaac Bumgarner, per diem.....	42 00
February 12.	Isaac Bumgarner, per diem.....	42 00
February 19.	Isaac Bumgarner, per diem.....	42 00
March 5.	Isaac Bumgarner, per diem.....	84 00

Total..... \$393 20

January 15.	H. C. Butler, mileage.....	\$71 20
January 15.	H. C. Butler, per diem.....	72 00
January 22.	H. C. Butler, per diem.....	42 00
January 29.	H. C. Butler, per diem.....	42 00
February 5.	H. C. Butler, per diem.....	42 00
February 12.	H. C. Butler, per diem.....	42 00
February 19.	H. C. Butler, per diem.....	42 00
March 5.	H. C. Butler, per diem.....	84 00

Total..... \$437 20

January 15.	O. H. P. Cary, mileage.....	\$30 00
January 15.	O. H. P. Cary, per diem.....	72 00
January 15.	O. H. P. Cary, per diem.....	42 00
January 29.	O. H. P. Cary, per diem.....	42 00
February 5.	O. H. P. Cary, per diem.....	42 00
February 12.	O. H. P. Cary, per diem.....	42 00
February 19.	O. H. P. Cary, per diem.....	42 00
March 5.	O. H. P. Cary, per diem	84 00

Total \$396 00

January 15.	A. B. Carlton, mileage.....	\$29 20
January 15.	A. B. Carlton, per diem.....	72 00
January 22.	A. B. Carlton, per diem.....	42 00
January 29.	A. B. Carlton, per diem.....	42 00
February 5.	A. B. Carlton, per diem.....	42 00
February 12.	A. B. Carlton, per diem.....	42 00
February 19.	A. B. Carlton, per diem.....	42 00
March 5.	A. B. Carlton, per diem.....	84 00

Total..... \$395 20

January	15.	A. P. Carr, mileage.....	\$34 00
January	15.	A. P. Carr, per diem.....	72 00
January	22.	A. P. Carr, per diem.....	42 00
January	29.	A. P. Carr, per diem.....	42 00
February	5.	A. P. Carr, per diem.....	42 00
February	12.	A. P. Carr, per diem.....	42 00
February	19.	A. P. Carr, per diem.....	42 00
March	5.	A. P. Carr, per diem.....	84 00

Total.....	\$400 00
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January	15.	James R. Carson, mileage.....	\$12 00
January	15.	James R. Carson, per diem.....	72 00
January	22.	James R. Carson, per diem.....	42 00
January	29.	James R. Carson, per diem.....	42 00
February	5.	James R. Carson, per diem.....	42 00
February	12.	James R. Carson, per diem.....	42 00
February	19.	James R. Carson, per diem.....	42 00
March	5.	James R. Carson, per diem.....	84 00

Total.....	\$378 00
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January	15.	John Chawner, mileage.....	\$14 00
January	15.	John Chawner, per diem.....	72 00
January	22.	John Chawner, per diem.....	42 00
January	29.	John Chawner, per diem.....	42 00
February	5.	John Chawner, per diem.....	42 00
February	12.	John Chawner, per diem.....	42 00
February	19.	John Chawner, per diem.....	42 00
March	5.	John Chawner, per diem.....	84 00

Total.....	\$380 00
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January	15.	J. C. Claypool, mileage.....	\$29 20
January	15.	J. C. Claypool, per diem.....	72 00
January	22.	J. C. Claypool, per diem.....	42 00
January	29.	J. C. Claypool, per diem.....	42 00
February	5.	J. C. Claypool, per diem.....	42 00
February	12.	J. C. Claypool, per diem.....	42 00
February	19.	J. C. Claypool, per diem.....	42 00
March	5.	J. C. Claypool, per diem.....	84 00

Total.....	\$395 20
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January 15.	S. S. Coffman, mileage.....	\$40 00
January 15.	S. S. Coffman, per diem.....	72 00
January 22.	S. S. Coffman, per diem.....	42 00
January 29.	S. S. Coffman, per diem.....	42 00
February 5.	S. S. Coffman, per diem.....	42 00
February 12.	S. S. Coffman, per diem.....	42 00
February 19.	S. S. Coffman, per diem.....	42 00
February 26.	S. S. Coffman, per diem.....	42 00
March 5.	S. S. Coffman, per diem.....	42 00

Total \$406 00

January 15.	U. D. Cole, mileage.....	\$43 20
January 15.	U. D. Cole, per diem.....	72 00
January 22.	U. D. Cole, per diem.....	42 00
January 29.	U. D. Cole, per diem.....	42 00
February 5.	U. D. Cole, per diem.....	42 00
February 12.	U. D. Cole, per diem.....	42 00
February 19.	U. D. Cole, per diem.....	42 00
March 5.	U. D. Cole, per diem.....	84 00

Total..... \$409 20

January 15.	A. B. Collins, mileage.....	\$60 00
January 15.	A. B. Collins, per diem.....	72 00
January 22.	A. B. Collins, per diem.....	42 00
January 29.	A. B. Collins, per diem.....	42 00
February 5.	A. B. Collins, per diem.....	42 00
February 12.	B. B. Collins, per diem.....	42 00
February 19.	A. B. Collins, per diem.....	42 00
March 5.	A. B. Collins, per diem.....	84 00

Total..... \$426 00

January 15.	J. M. Compton, mileage.....	\$22 00
January 15.	J. M. Compton, per diem.....	72 00
January 22.	J. M. Compton, per diem.....	42 00
January 29.	J. M. Compton, per diem.....	42 00
February 5.	J. M. Compton, per diem.....	42 00
February 12.	J. M. Compton, per diem.....	42 00
February 19.	J. M. Compton, per diem.....	42 00
March 5.	J. M. Compton, per diem.....	84 00

Total..... \$388 00

January	15.	Wm. Conley, mileage.....	\$33 20
January	15.	Wm. Conley, per diem.....	72 00
January	22.	Wm. Conley, per diem.....	42 00
January	29.	Wm. Conley, per diem.....	42 00
February	5.	Wm. Conley, per diem.....	42 00
February	12.	Wm. Conley, per diem.....	42 00
February	19.	Wm. Conley, per diem.....	42 00
March	5.	Wm. Conley, per diem.....	84 00

Total..... \$399 00

January	15.	J. M. Cook, mileage.....	\$24 00
January	15.	J. M. Cook, per diem.....	72 00
January	22.	J. M. Cook, per diem.....	42 00
January	29.	J. M. Cook, per diem.....	42 00
February	5.	J. M. Cook, per diem.....	42 00
February	12.	J. M. Cook, per diem.....	42 00
February	19.	J. M. Cook, per diem.....	42 00
March	5.	J. M. Cook, per diem.....	84 00

Total \$390 00

January	15.	E. Cooley, mileage	\$40 00
January	15.	E. Cooley, per diem.....	72 00
January	22.	E. Cooley, per diem.....	42 00
January	29.	E. Cooley, per diem.....	42 00
February	5.	E. Cooley, per diem.....	42 00
February	12.	E. Cooley, per diem.....	42 00
February	19.	E. Cooley, per diem.....	42 00
March	5.	E. Cooley, per diem.....	84 00

Total \$406 00

January	15.	A. C. Copeland, mileage.....	\$39 20
January	15.	A. C. Copeland, per diem.....	72 00
January	22.	A. C. Copeland, per diem.....	42 00
January	29.	A. C. Copeland, per diem.....	42 00
February	5.	A. C. Copeland, per diem.....	42 00
February	12.	A. C. Copeland, per diem.....	42 00
February	19.	A. C. Copeland, per diem.....	42 00
March	5.	A. C. Copeland, per diem.....	84 00

Total..... \$405 20

January 15.	W. H. Craft, per diem.....	\$72 20
January 22.	W. H. Craft, per diem.....	42 00
January 29.	W. H. Craft, per diem.....	42 00
February 5.	W. H. Craft, per diem.....	42 00
February 12.	W. H. Craft, per diem.....	42 00
February 19.	W. H. Craft, per diem.....	42 00
February 26.	W. H. Craft, per diem.....	42 00
March 5.	W. H. Craft, per diem.....	42 00

Total..	<u>\$366 00</u>
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January 15.	T. Crumpacker, mileage.....	\$63 20
January 15.	T. Crumpacker, per diem.....	72 00
January 22.	T. Crumpacker, per diem.....	42 00
January 29.	T. Crumpacker, per diem.....	42 00
February 5.	T. Crumpacker, per diem.....	42 00
February 12.	T. Crumpacker, per diem.	42 00
February 19.	T. Crumpacker, per diem.....	42 00
March 5.	T. Crumpacker, per diem.....	84 00

Total.....	<u>\$429 20</u>
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January 15.	John Dannettell, mileage.....	\$78 40
January 15.	John Dannettell, per diem.....	72 00
January 22.	John Dannettell, per diem.....	42 00
January 29.	John Dannettell, per diem.....	42 00
February 5.	John Dannettell, per diem.....	42 00
February 12.	John Dannettell, per diem.....	42 00
February 19.	John Dannettell, per diem.....	42 00
March 5.	John Dannettell, per diem.....	84 00

Total.....	<u>\$444 40</u>
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January 15.	J. W. Davis, mileage.....	\$32 00
January 15.	J. W. Davis, per diem.....	72 00
January 22.	J. W. Davis, per diem.....	42 00
January 29.	J. W. Davis, per diem.	42 00
February 5.	J. W. Davis, per diem.....	42 00
February 12.	J. W. Davis, per diem.....	42 00
February 19.	J. W. Davis, per diem.....	42 00
March 5.	J. W. Davis, per diem.....	84 00

Total.,	<u>\$418 00</u>
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January	15.	H. H. Elwell, mileage.....	\$20 00
January	15.	H. H. Elwell, per diem.....	72 00
January	22.	H. H. Elwell, per diem.....	42 00
January	29.	H. H. Elwell, per diem.....	42 00
February	5.	H. H. Elwell, per diem.....	42 00
February	19.	H. H. Elwell, per diem.....	42 00
March	5.	H. H. Elwell, per diem.....	84 00
Total			<u>386 00</u>

January	15.	H. M. Endsley, mileage.....	\$10 00
January	15.	H. M. Endsley, per diem.....	72 00
January	22.	H. M. Endsley, per diem.....	42 00
January	29.	H. M. Endsley, per diem.....	42 00
February	12.	H. M. Endsley, per diem.....	42 00
February	5.	H. M. Endsley, per diem.....	42 00
February	19.	H. M. Endsley, per diem.....	42 00
March	5.	H. M. Endsley, per diem.....	84 00
Total.....			<u>\$376 00</u>

January	15.	T. J. Foster, mileage	\$52 40
January	15.	T. J. Foster, per diem	72 00
January	22.	T. J. Foster, per diem	42 00
January	29.	T. J. Foster, per diem	42 00
February	5.	T. J. Foster, per diem	42 00
February	12.	T. J. Foster, per diem	42 00
February	19.	T. J. Foster, per diem	42 00
March	5.	T. J. Foster, per diem	84 00
Total.....			<u>\$418 40</u>

January	15.	R. C. Foster, mileage.....	\$32 40
January	15.	R. C. Foster, per diem.....	72 00
January	22.	R. C. Foster, per diem.....	42 00
January	29.	R. C. Foster, per diem.....	42 00
February	5.	R. C. Foster, per diem.....	42 00
February	12.	R. C. Foster, per diem.....	42 00
February	19.	R. C. Foster, per diem.....	42 00
March	5.	R. C. Foster, per diem.....	84 00
Total.....			<u>\$398 40</u>

January	15.	Wm. Freeman, mileage.....	\$40 80
January	15.	Wm. Freeman, per diem.....	72 00
January	22.	Wm. Freeman, per diem.....	42 00
January	29.	Wm. Freeman, per diem.....	42 00
February	5.	Wm. Freeman, per diem.....	42 00
February	12.	Wm. Freeman, per diem.....	42 00
February	19.	Wm. Freeman, per diem.....	42 00
March	5.	Wm. Freeman, per diem.....	84 00

Total.....	\$406 80
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January	15.	J. T. Fromm, mileage..	\$40 00
January	15.	J. T. Fromm, per diem.....	72 00
January	22.	J. T. Fromm, per diem.....	42 00
January	29.	J. T. Fromm, per diem	42 00
February	5.	J. T. Fromm, per diem.....	42 00
February	12.	J. T. Fromm, per diem.....	42 00
February	19.	J. T. Fromm, per diem.....	42 00
March	5.	J. T. Fromm, per diem.....	84 00

Total.....	\$406 00
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January	15.	William Garver, mileage.....	\$10 00
January	15.	William Garver, per diem.....	72 00
January	22.	William Garver, per diem.....	42 00
January	29.	William Garver, per diem.....	42 00
February	5.	William Garver, per diem.....	42 00
February	12.	William Garver, per diem.....	42 00
February	19.	William Garver, per diem.....	42 00
March	5.	William Garver, per diem.....	84 00

Total..	\$376 00
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January	15.	C. Girton, mileage.....	\$15 20
January	15.	C. Girton, per diem.....	72 00
January	22.	C. Girton, per diem.....	42 00
January	29.	C. Girton, per diem.....	42 00
February	5.	C. Girton, per diem.....	42 00
February	12.	C. Girton, per diem.....	42 00
February	19.	C. Girton, per diem.....	42 00
March	5.	C. Girton, per diem.....	84 00

Total.....	\$381 20
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January	15.	A. J. Gossman, mileage.....	\$91 20
January	15.	A. J. Gossman, per diem.....	72 00
January	22.	A. J. Gossman, per diem.....	42 00
January	29.	A. J. Gossman, per diem.....	42 00
February	5.	A. J. Gossman, per diem.....	42 00
February	12.	A. J. Gossman, per diem.....	42 00
February	19.	A. J. Gossman, per diem.....	42 00
February	26.	A. J. Gossman, per diem.....	42 00
March	5.	A. J. Gossman, per diem.....	42 00

Total..... \$457 20

January	15.	G. W. Grubbs, mileage.....	\$12 40
January	15.	G. W. Grubbs, per diem.....	72 00
January	82.	G. W. Grubbs, per diem.....	48 00
January	29.	G. W. Grubbs, per diem.....	42 00
February	5.	G. W. Grubbs, per diem.....	42 00
February	12.	G. W. Grubbs, per diem.....	42 00
February	19.	G. W. Grubbs, per diem.....	42 00
March	5.	G. W. Grubbs, per diem.....	84 00

Total..... \$378 40

January	15.	A. Guthrie, mileage	\$36 40
January	15.	A. Guthrie, per diem.....	72 00
January	22.	A. Guthrie, per diem.....	42 00
January	29.	A. Guthrie, per diem.....	42 00
February	5.	A. Guthrie, per diem.....	42 00
February	12.	A. Guthrie, per diem.....	42 00
February	19.	A. Guthrie, per diem.....	42 00
March	5.	A. Guthrie, per diem.....	84 00

Total \$402 40

January	15.	A. Hall, mileage.....	\$46 00
January	15.	A. Hall, per diem.....	72 00
January	22.	A. Hall, per diem.....	42 00
January	29.	A. Hall, per diem.	42 00
February	5.	A. Hall, per diem.....	42 00
February	12.	A. Hall, per diem.....	42 00
February	19.	A. Hall, per diem.....	42 00
March	5.	A. Hall, per diem.....	84 00

Total..... \$412 00

January	15.	B. L. Harris, mileage.....	\$32 00
January	15.	B. L. Harris, per diem.....	72 00
January	22.	B. L. Harris, per diem.....	42 00
January	29.	B. L. Harris, per diem.....	42 00
February	5.	B. L. Harris, per diem.....	42 00
February	12.	B. L. Harris, per diem.....	42 00
February	19.	B. L. Harris, per diem.....	42 00
March	5.	B. L. Harris, per diem.....	84 00

Total.....	\$398 00
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January	15.	A. J. Hatfield, mileage.....	\$100 00
January	15.	A. J. Hatfield, per diem.....	72 00
January	22.	A. J. Hatfield, per diem.....	42 00
January	29.	A. J. Hatfield, per diem.....	42 00
February	5.	A. J. Hatfield, per diem.....	42 00
February	12.	A. J. Hatfield, per diem.....	42 00
February	19.	A. J. Hatfield, per diem.....	42 00
March	5.	A. J. Hatfield, per diem.....	84 00

Total.....	\$466 00
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January	15.	F. W. Hauss, mileage.....	\$66 00
January	15.	F. W. Hauss, per diem.....	72 00
January	22.	F. W. Hauss, per diem.....	42 00
January	29.	F. W. Hauss, per diem.....	42 00
February	5.	F. W. Hauss, per diem.....	42 00
February	12.	F. W. Hauss, per diem.....	42 00
February	19.	F. W. Hauss, per diem.....	42 00
March	5.	F. W. Hauss, per diem.....	84 00

Total.....	\$432 00
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January	15.	Samuel Harper, mileage.....	\$80 00
January	15.	Samuel Harper, per diem.....	72 00
January	22.	Samuel Harper, per diem.....	42 00
January	29.	Samuel Harper, per diem.....	42 00
February	5.	Samnel Harper, per diem.....	42 00
February	12.	Samuel Harper, per diem.....	42 00
February	19.	Samuel Harper, per diem.....	42 00
March	5.	Samuel Harper, per diem.....	84 00

Total.....	\$446 00
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January 15.	E. Henderson, mileage.....	\$13 00
January 15.	E. Henderson, per diem.....	72 00
January 22.	E. Henderson, per diem.....	42 00
January 29.	E. Henderson, per diem.....	42 00
February 5.	E. Henderson, per diem.....	42 00
February 12.	E. Henderson, per diem.....	42 00
February 19.	E. Henderson, per diem.....	42 00
March 5.	E. Henderson, per diem.....	84 00

Total.....	\$379 00
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January 15.	J. D. Highway, mileage.....	\$60 00
January 15.	J. D. Highway, per diem	72 00
January 22.	J. D. Highway, per diem	42 00
January 29.	J. D. Highway, per diem	42 00
February 5.	J. D. Highway, per diem	42 00
February 12.	J. D. Highway, per diem	42 00
February 19.	J. D. Highway, per diem	42 00
March 5.	J. D. Highway, per diem	84 00

Total	\$426 00
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January 15.	J. Hosmer, mileage.....	\$60 00
January 15.	J. Hosmer, per diem.....	72 00
January 22.	J. Hosmer, per diem.....	42 00
January 29.	J. Hosmer, per diem.....	42 00
February 5.	J. Hosmer, per diem.....	42 00
February 12.	J. Hosmer, per diem.....	42 00
February 19.	J. Hosmer, per diem.....	42 00
March 5.	J. Hosmer, per diem.....	84 00

Total.....	\$426 00
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January 15.	John W. Houghton, mileage.....	\$50 00
January 15.	John W. Houghton, per diem....	72 00
January 22.	John W. Houghton, per diem....	42 00
January 29.	John W. Houghton, per diem....	42 00
February 5.	John W. Houghton, per diem....	42 00
February 12.	John W. Houghton, per diem....	42 00
February 19.	John W. Houghton, per diem....	42 00
March 5.	John W. Houghton, per diem....	84 00

Total.....	\$416 00
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January	15.	C. S. Hubbard, mileage.....	\$14 00
January	15.	C. S. Hubbard, per diem.....	72 00
January	22.	C. S. Hubbard, per diem.....	42 00
January	29.	C. S. Hubbard, per diem.....	42 00
February	5.	C. S. Hubbard, per diem.....	42 00
February	12.	C. S. Hubbard, per diem.....	42 00
February	19.	C. S. Hubbard, per diem.....	42 00
March	5.	C. S. Hubbard, per diem.....	84 00

Total.....	\$380 00
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January	15.	H. C. Hulet, mileage.....	\$21 60
January	15.	H. C. Hulet, per diem.....	72 00
January	22.	H. C. Hulet, per diem.....	42 00
January	29.	H. C. Hulet, per diem.....	42 00
February	5.	H. C. Hulet, per diem.....	42 00
February	12.	H. C. Hulet, per diem.....	42 00
February	19.	H. C. Hulet, per diem.....	42 00
March	5.	H. C. Hulet, per diem.....	84 00

Total	\$387 60
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January	15.	J. L. Johnson, mileage.....	\$26 00
January	15.	J. L. Johnson, per diem.....	72 00
January	22.	J. L. Johnson, per diem.....	42 00
January	29.	J. L. Johnson, per diem.....	42 00
February	5.	J. L. Johnson, per diem.....	42 00
February	12.	J. L. Johnson, per diem.....	42 00
February	19.	J. L. Johnson, per diem.....	42 00
March	5.	J. L. Johnson, per diem.....	84 00

Total.....	\$402 00
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January	15.	C. Johnson, mileage.....	40 00
January	15.	C. Johnson, per diem.....	72 00
January	22.	C. Johnson, per diem.....	42 00
January	29.	C. Johnson, per diem.....	42 00
February	5.	C. Johnson, per diem.....	42 00
February	12.	C. Johnson, per diem.....	42 00
February	19.	C. Johnson, per diem.....	42 00
March	5.	C. Johnson, per diem.....	84 00

Total.....	\$406 00
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January	15.	A. M. Kennedy, mileage.....	\$17 20
January	15.	A. M. Kennedy, per diem.....	72 00
January	22.	A. M. Kennedy, per diem.....	42 00
January	29.	A. M. Kennedy, per diem.....	42 00
February	5.	A. M. Kennedy, per diem.....	42 00
February	12.	A. M. Kennedy, per diem.....	42 00
February	19.	A. M. Kennedy, per diem	42 00
March	5.	A. M. Kennedy, per diem.....	84 00

Total..... \$383 20

January	15.	J. P. Kennedy, mileage.....	\$28 00
January	15.	J. P. Kennedy, per diem.....	72 00
January	22.	J. P. Kennedy, per diem.....	42 00
January	29.	J. P. Kennedy, per diem.....	42 00
February	5.	J. P. Kennedy, per diem.....	42 00
February	12.	J. P. Kennedy, per diem.....	42 00
February	19.	J. P. Kennedy, per diem.....	42 00
March	5.	J. P. Kennedy, per diem.....	84 00

Total..... \$394 00

January	15.	O. Kimmell, mileage.....	\$70 40
January	15.	O. Kimmell, per diem.....	72 00
January	22.	O. Kimmell, per diem.....	42 00
January	29.	O. Kimmell, per diem.....	42 00
February	5.	O. Kimmell, per diem.....	42 00
February	12.	O. Kimmell, per diem.....	42 00
February	19.	O. Kimmell, per diem.....	42 00
March	5.	O. Kimmell, per diem.....	84 00

Total..... \$436 40

January	15.	J. H. Koontz, mileage.....	\$20 00
January	15.	J. H. Koontz, per diem.....	72 00
January	22.	J. H. Koontz, per diem.....	42 00
January	29.	J. H. Koontz, per diem.....	42 00
February	5.	J. H. Koontz, per diem.....	42 00
February	12.	J. H. Koontz, per diem.....	42 00
February	19.	J. H. Koontz, per diem	42 00
March	5.	J. H. Koontz, per diem.....	84 00

Total..... \$386 00

January	15.	E. T. Lane, mileage.....	\$20 00
January	15.	E. T. Lane, per diem.....	72 00
January	22.	E. T. Lane, per diem.....	42 00
January	29.	E. T. Lane, per diem.....	42 00
February	5.	E. T. Lane, per diem.....	42 00
February	12.	E. T. Lane, per diem.....	42 00
February	19.	E. T. Lane, per diem.....	42 00
March	5.	E. T. Lane, per diem.....	84 00

Total..... \$386 00

January	15.	R. W. Langdon, mileage.....	\$25 60
January	15.	R. W. Langdon, per diem.....	72 00
January	22.	R. W. Langdon, per diem.....	42 00
January	29.	R. W. Langdon, per diem.....	42 00
February	5.	R. W. Langdon, per diem.....	42 00
February	12.	R. W. Langdon, per diem.....	42 00
February	19.	R. W. Langdon, per diem.....	42 00
March	5.	R. W. Langdon, per diem.....	84 00

Total..... \$391 60

January	15.	James W. Lanham, mileage.....	\$27 80
January	15.	James W. Lanham, per diem.....	72 00
January	22.	James W. Lanham, per diem.....	42 00
January	29.	James W. Lanham, per diem.....	42 00
February	5.	James W. Lanham, per diem.....	42 00
February	12.	James W. Lanham, per diem.....	42 00
February	19.	James W. Lanham, per diem.....	42 00
March	5.	James W. Lanham, per diem.....	84 00

Total..... \$393 80

January	15.	D. R. Leeper, mileage.....	\$71 20
January	15.	D. R. Leeper, per diem.....	72 00
January	22.	D. R. Leeper, per diem.....	42 00
January	29.	D. R. Leeper, per diem.....	42 00
February	5.	D. R. Leeper, per diem.....	42 00
February	12.	D. R. Leeper, per diem.....	42 00
February	19.	D. R. Leeper, per diem.....	42 00
March	5.	D. R. Leeper, per diem.....	84 00

Total..... \$437 20

January	15.	C. O. Lehman, mileage.....	\$12 00
January	15.	C. O. Lehman, per diem.....	72 00
January	22.	C. O. Lehman, per diem.....	42 00
January	29.	C. O. Lehman, per diem.....	42 00
February	5.	C. O. Lehman, per diem.....	42 00
February	12.	C. O. Lehman, per diem.....	42 00
February	19.	C. O. Lehman, per diem.....	42 00
February	26.	C. O. Lehman, per diem.....	42 00
March	5.	C. O. Lehman, per diem.....	42 00

Total \$378 00

January	15.	E. Little, mileage.....	\$37 20
January	15.	E. Little, per diem	72 00
January	22.	E. Little, per diem	42 00
January	29.	E. Little, per diem	42 00
February	5.	E. Little, per diem	42 00
February	12.	E. Little, per diem	42 00
February	19.	E. Little, per diem	42 00
March	5.	E. Little, per diem	84 00

Total..... 403 20

January	15.	H. J. Lockhart, mileage.....	\$21 60
January	15.	H. J. Lockhart, per diem	72 00
January	22.	H. J. Lockhart, per diem	42 00
January	29.	H. J. Lockhart, per diem	42 00
February	5.	H. J. Lockhart, per diem	42 00
February	12.	H. J. Lockhart, per diem	42 00
February	19.	H. J. Lockhart, per diem	42 00
March	5.	H. J. Lockhart, per diem	84 00

Total \$387 60

January	15.	W. H. Madden, mileage.....	\$60 00
January	15.	W. H. Madden, per diem.....	72 00
January	22.	W. H. Madden, per diem.....	42 00
January	29.	W. H. Madden, per diem.....	42 00
February	5.	W. H. Madden, per diem.....	42 00
February	12.	W. H. Madden, per diem.....	42 00
February	19.	W. H. Madden, per diem.....	42 00
March	5.	W. H. Madden, per diem.....	84 00

Total..... \$426 00

January 15.	J. K. Marsh, mileage.....	\$44 00
January 15.	J. K. Marsh, per diem.....	72 00
January 22.	J. K. Marsh, per diem.....	42 00
January 29.	J. K. Marsh, per diem.....	42 00
February 5.	J. K. Marsh, per diem.....	42 00
February 12.	J. K. Marsh, per diem.....	42 00
February 19.	J. K. Marsh, per diem.....	42 00
March 5.	J. K. Marsh, per diem.....	84 00

Total.....	\$410 00
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January 15.	C. Mathews, mileage.....	\$35 20
January 15.	C. Mathews, per diem.....	72 00
January 22.	C. Mathews, per diem.....	42 00
January 29.	C. Mathews, per diem.....	42 00
February 5.	C. Mathews, per diem.....	42 00
February 12.	C. Mathews, per diem.....	42 00
February 19.	C. Mathews, per diem.....	42 00
February 26.	C. Mathews, per diem.....	42 00
March 5.	C. Mathews, per diem.....	42 00

Total.....	\$401 20
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January 15.	W. E. Merriman, mileage.....	64 00
January 15.	W. E. Merriman, per diem.....	72 00
January 22.	W. E. Merriman, per diem.....	42 00
January 29.	W. E. Merriman, per diem.....	42 00
February 5.	W. E. Merriman, per diem.....	42 00
February 12.	W. E. Merriman, per diem.....	42 00
February 19.	W. E. Merriman, per diem.....	42 00
March 5.	W. E. Merriman, per diem.....	84 00

Total.....	\$430 00
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January 15.	J. A. Moorman, mileage.....	\$27 20
January 15.	J. A. Moorman, per diem.....	72 00
January 22.	J. A. Moorman, per diem.....	42 00
January 29.	J. A. Moorman, per diem....	42 00
February 5.	J. A. Moorman, per diem.....	42 00
February 12.	J. A. Moorman, per diem.....	42 00
February 19.	J. A. Moorman, per diem.....	42 00
March 5.	J. A. Moorman, per diem.....	84 00

Total.....	\$393 20
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January	15.	J. W. Morgan, mileage.....	\$8 00
January	15.	J. W. Morgan, per diem.....	72 00
January	22.	J. W. Morgan, per diem.....	42 00
January	29.	J. W. Morgan, per diem..	42 00
February	5.	J. W. Morgan, per diem.....	42 00
February	12.	J. W. Morgan, per diem.....	42 00
February	19.	J. W. Morgan, per diem.....	42 00
March	5.	J. W. Morgan, per diem.....	84 00

Total.....	\$374 00
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January	15.	A. A. Morrison, mileage.....	\$34 00
January	15.	A. A. Morrison, per diem.....	72 00
January	22.	A. A. Morrison, per diem.....	42 00
January	29.	A. A. Morrison, per diem.....	42 00
February	5.	A. A. Morrison, per diem.....	42 00
February	12.	A. A. Morrison, per diem.....	42 00
February	19.	A. A. Morrison, per diem.....	42 00
March	5.	A. A. Morrison, per diem.....	84 00

Total.....	\$400 00
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January	15.	P. H. McCarty, mileage.....	\$60 00
January	15.	P. H. McCarty, per diem.....	72 00
January	22.	P. H. McCarty, per diem.....	42 00
January	29.	P. H. McCarty, per diem.....	42 00
February	5.	P. H. McCarty, per diem.....	42 00
February	12.	P. H. McCarty, per diem.....	42 00
February	19.	P. H. McCarty, per diem.....	42 00
March	5.	P. H. McCarty, per diem.....	84 00

Total.....	\$426 00
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January	15.	J. E. McGaughey, mileage.....	\$3 20
January	15.	J. E. McGaughey, per diem.....	72 00
January	22.	J. E. McGaughey, per diem.....	42 00
January	29.	J. E. McGaughey, per diem.....	42 00
February	5.	J. E. McGaughey, per diem.....	42 00
February	12.	J. E. McGaughey, per diem.....	42 00
February	19.	J. E. McGaughey, per diem.....	42 00
March	5.	J. E. McGaughey, per diem.....	84 00

Total.....	\$369 20
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January 15.	W. R. Oglebay, mileage.....	\$20 80
January 15.	W. R. Oglebay, per diem.....	72 00
January 22.	W. R. Oglebay, per diem.....	42 00
January 29.	W. R. Oglebay, per diem.....	42 00
February 5.	W. R. Oglebay, per diem.....	42 00
February 12.	W. R. Oglebay, per diem.....	42 00
February 19.	W. R. Oglebay, per diem.....	42 00
February 26.	W. R. Oglebay, per diem.....	42 00
March 5.	W. R. Oglebay, per diem.....	42 00
Total.....		<u>\$386 80</u>

January 15.	John Overmyer, mileage.....	\$26 00
January 15.	John Overmyer, per diem.....	72 00
January 22.	John Overmyer, per diem.....	42 00
January 29.	John Overmyer, per diem.....	42 00
February 5.	John Overmyer, per diem.....	42 00
February 12.	John Overmyer, per diem.....	42 00
February 19.	John Overmyer, per diem.....	42 00
March 5.	John Overmyer, per diem.....	84 00
Total.....		<u>\$392 00</u>

January 15.	A. E. Paige, mileage.....	\$24 00
January 15.	A. E. Paige, per diem.....	72 00
January 22.	A. E. Paige, per diem... ..	42 00
January 29.	A. E. Paige, per diem.....	42 00
February 5.	A. E. Paige, per diem.....	42 00
February 12.	A. E. Paige, per diem.....	42 00
February 19.	A. E. Paige, per diem.....	42 00
March 5.	A. E. Paige, per diem.....	84 00
Total.....		<u>\$390 00</u>

January 15.	S. J. Peelle, per diem.....	\$72 00
January 22.	S. J. Peelle, per diem.....	42 00
January 29.	S. J. Peelle, per diem.....	42 00
February 5.	S. J. Peelle, per diem.....	42 00
February 12.	S. J. Peelle, per diem.....	42 00
February 19.	S. J. Peelle, per diem.....	42 00
February 26.	S. J. Peelle, per diem.....	42 00
March 5.	S. J. Peelle, per diem.....	42 00
Total		<u>\$366 00</u>

January	15.	Robert Perigo, mileage.....	\$86 40
January	15.	Robert Perigo, per diem.....	72 00
January	22.	Robert Perigo, per diem.....	42 00
January	29.	Robert Perigo, per diem.....	42 00
February	5.	Robert Perigo, per diem.....	42 00
February	12.	Robert Perigo, per diem.....	42 00
February	19.	Robert Perigo, per diem.....	42 00
March	5.	Robert Perigo, per diem.....	84 00

Total.....	\$452 40
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January	15.	G. W. Priest, mileage.....	\$20 00
January	15.	G. W. Priest, per diem.....	72 00
January	22.	G. W. Priest, per diem.....	42 00
January	29.	G. W. Priest, per diem.....	42 00
February	5.	G. W. Priest, per diem.....	42 00
February	12.	G. W. Priest, per diem.....	42 00
February	19.	G. W. Priest, per diem.....	42 00
February	26.	G. W. Priest, per diem.....	42 00
March	5.	G. W. Priest, per diem.....	42 00

Total.....	\$386 00
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January	15.	D. Rea, mileage.....	\$40 00
January	15.	D. Rea, per diem.....	72 00
January	22.	D. Rea, per diem.....	42 00
January	29.	D. Rea, per diem.....	42 00
February	5.	D. Rea, per diem.....	42 00
February	12.	D. Rea, per diem.....	42 00
February	19.	D. Rea, per diem.....	42 00
March	5.	D. Rea, per diem.....	84 00

Total.....	\$406 00
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January	15.	D. Reno, mileage.....	\$20 00
January	15.	D. Reno, per diem.....	72 00
January	22.	D. Reno, per diem.....	42 00
January	29.	D. Reno, per diem.....	42 00
February	5.	D. Reno, per diem.....	42 00
February	12.	D. Reno, per diem.....	42 00
February	19.	D. Reno, per diem.....	42 00
March	5.	D. Reno, per diem.....	84 00

Total.....	\$386 00
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January	15.	Z. T. Riley, mileage.....	\$20 80
January	15.	Z. T. Riley, per diem.....	72 00
January	22.	Z. T. Riley, per diem.....	42 00
January	29.	Z. T. Riley, per diem.....	42 00
February	5.	Z. T. Riley, per diem.....	42 00
February	12.	Z. T. Riley, per diem.....	42 00
February	19.	Z. T. Riley, per diem.....	42 00
March	5.	Z. T. Riley, per diem.....	84 00

Total..... \$386 80

January	15.	J. L. Sailors, mileage.....	\$27 20
January	15.	J. L. Sailors, per diem.....	72 00
January	22.	J. L. Sailors, per diem.....	42 00
January	29.	J. L. Sailors, per diem.....	42 00
February	5.	J. L. Sailors, per diem.....	42 00
February	12.	J. L. Sailors, per diem.....	42 00
February	19.	J. L. Sailors, per diem.....	42 00
March	5.	J. L. Sailors, per diem.....	84 00

Total..... \$403 20

January	15.	A. M. Scott, mileage.....	\$21 60
January	15.	A. M. Scott, per diem.....	72 00
January	22.	A. M. Scott, per diem.....	42 00
January	29.	A. M. Scott, per diem.....	42 00
February	5.	A. M. Scott, per diem.....	42 00
February	12.	A. M. Scott, per diem.....	42 00
February	19.	A. M. Scott, per diem.....	42 00
March	5.	A. M. Scott, per diem.....	84 00

Total..... \$387 60

January	15.	J. Smith, mileage	\$14 00
January	15.	J. Smith, per diem	72 00
January	22.	J. Smith, per diem.....	42 00
January	29.	J. Smith, per diem	42 00
February	5.	J. Smith, per diem	42 00
February	12.	J. Smith, per diem	42 00
February	19.	J. Smith, per diem.....	42 00
March	5.	J. Smith, per diem.....	84 00

Total \$380 00

January	15.	D. J. Spencer, mileage.....	\$60 00
January	15.	D. J. Spencer, per diem.....	72 00
January	22.	D. J. Spencer, per diem.....	42 00
January	29.	D. J. Spencer, per diem.....	42 00
February	5.	D. J. Spencer, per diem.....	42 00
February	12.	D. J. Spencer, per diem.....	42 00
February	19.	D. J. Spencer, per diem.....	42 00
February	26.	D. J. Spencer, per diem.....	42 00
March	5.	D. J. Spencer, per diem.....	42 00

Total..... \$426 00

January	15.	L. W. Stewart, mileage.....	\$60 00
January	15.	L. W. Stewart, per diem.....	72 00
January	22.	L. W. Stewart, per diem.....	42 00
January	29.	L. W. Stewart, per diem.....	42 00
February	5.	L. W. Stewart, per diem.....	42 00
February	12.	L. W. Stewart, per diem.....	42 00
February	19.	L. W. Stewart, per diem.....	42 00
March	5.	L. W. Stewart, per diem.....	84 00

Total..... \$426 00

January	15.	A. C. Swayzee, mileage.....	\$30 00
January	15.	A. C. Swayzee, per diem.....	72 00
January	22.	A. C. Swayzee, per diem.....	42 00
January	29.	A. C. Swayzee, per diem.....	42 00
February	5.	A. C. Swayzee, per diem.....	42 00
February	12.	A. C. Swaysee, per diem.....	42 00
February	19.	A. C. Swayzee, per diem.....	42 00
March	5.	A. C. Swayzee, per diem.....	84 00

Total..... \$396 00

January	15.	D. Thomas, mileage.....	\$30 00
January	15.	D. Thomas, per diem.....	72 00
January	22.	D. Thomas, per diem.....	42 00
January	29.	D. Thomas, per diem.....	42 00
February	5.	D. Thomas, per diem.....	42 00
February	12.	D. Thomas, per diem.....	42 00
February	19.	D. Thomas, per diem.....	42 00
March	5.	D. Thomas, per diem.....	84 00

Total..... \$396 00

January	15.	J. E. Thompson, mileage.....	\$60 00
January	15.	J. E. Thompson, per diem.....	72 00
January	22.	J. E. Thompson, per diem.....	42 00
January	29.	J. E. Thompson, per diem.....	42 00
February	5.	J. E. Thompson, per diem... ..	42 00
February	12.	J. E. Thompson, per diem.....	42 00
February	19.	J. E. Thompson, per diem... ..	42 00
March	5.	J. E. Thompson, per diem.....	84 00

Total.....	\$426 00
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January	15.	M. Thompson, mileage.....	\$24 00
January	15.	M. Thompson, per diem	72 00
January	22.	M. Thompson, per diem	42 00
January	29.	M. Thompson, per diem	42 00
February	5.	M. Thompson, per diem	42 00
February	12.	M. Thompson, per diem	42 00
February	19.	M. Thompson, per diem	42 00
March	5.	M. Thompson, per diem	84 00

Total.....	\$390 00
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January	15.	W. H. Thomson, mileage.....	\$30 00
January	15.	W. H. Thomson, per diem.....	72 00
January	22.	W. H. Thomson, per diem.....	42 00
January	29.	W. H. Thomson, per diem	42 00
February	5.	W. H. Thomson, per diem.....	42 00
February	12.	W. H. Thomson, per diem.....	42 00
February	19.	W. H. Thomson, per diem.....	42 00
March	5.	W. H. Thomson, per diem.....	84 00

Total.....	\$396 00
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January	15.	T. W. Viehe, mileage.....	\$46 80
January	15.	T. W. Viehe, per diem..... ..	72 00
January	22.	T. W. Viehe, per diem.....	42 00
January	29.	T. W. Viehe, per diem.....	42 00
February	5.	T. W. Viehe, per diem.....	42 00
February	12.	T. W. Viehe, per diem.....	42 00
February	19.	T. W. Viehe, per diem.....	42 00
March	5.	T. W. Viehe, per diem.....	84 00

Total.....	\$412 80
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January	15.	J. F. Welborn, mileage.....	\$80 00
January	15.	J. F. Welborn, per diem.....	72 00
January	22.	J. F. Welborn, per diem.....	42 00
January	29.	J. F. Welborn, per diem.....	42 00
February	5.	J. F. Welborn, per diem.....	42 00
February	12.	J. F. Welborn, per diem.....	42 00
February	19.	J. F. Welborn, per diem.....	42 00
March	5.	J. F. Welborn, per diem.....	84 00

Total..... \$446 00

January	15.	John Whitehead, mileage.....	\$78 40
January	15.	John Whitehead, per diem.....	72 00
January	22.	John Whitehead, per diem.....	42 00
January	29.	John Whitehead, per diem.....	42 00
February	5.	John Whitehead, per diem.....	42 00
February	12.	John Whitehead, per diem.....	42 00
February	19.	John Whitehead, per diem.....	42 00
March	5.	John Whitehead, per diem.....	84 00

Total..... \$444 40

January	15.	S. T. Wells, mileage.....	\$30 00
January	15.	S. T. Wells, per diem.....	72 00
January	22.	S. T. Wells, per diem.....	42 00
January	29.	S. T. Wells, per diem.....	42 00
February	5.	S. T. Wells, per diem.....	42 00
February	12.	S. T. Wells, per diem.....	42 00
February	19.	S. T. Wells, per diem.....	42 00
March	5.	S. T. Wells, per diem.....	84 00

Total..... \$396 00

January	15.	Noble Warrum, mileage.....	\$10 00
January	15.	Noble Warrum, per diem.....	72 00
January	22.	Noble Warrum, per diem.....	42 00
January	29.	Noble Warrum, per diem.....	42 00
February	15.	Noble Warrum, per diem.....	42 00
February	22.	Noble Warrum, per diem.....	42 00
February	29.	Noble Warrum, per diem.....	42 00
March	5.	Noble Warrum, per diem.....	84 00

Total..... \$376 00

January	15.	John Yaryan, mileage.....	\$28 00
January	15.	John Yaryan, per diem.....	72 00
January	22.	John Yaryan, per diem.....	42 00
January	29.	John Yaryan, per diem.....	42 00
February	5.	John Yaryan, per diem.....	42 00
February	12.	John Yaryan, per diem.....	42 00
February	19.	John Yaryan, per diem.....	42 00
March	5.	John Yaryan, per diem.....	84 00

Total.....	\$394 00
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January	15.	Wm. Zehring, mileage.....	\$25 20
January	15.	Wm. Zehring, per diem.....	72 00
January	22.	Wm. Zehring, per diem	42 00
January	29.	Wm. Zehring, per diem.....	42 00
February	5.	Wm. Zehring, per diem.....	42 00
February	12.	Wm. Zehring, per diem.....	42 00
February	19.	Wm. Zehring, per diem.....	42 00
March	5.	Wm. Zehring, per diem.....	84 00

Total.....	\$391 20
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January	15.	J. C. Zimmerman, mileage.....	\$66 40
January	15.	J. C. Zimmerman, per diem.....	72 00
January	22.	J. C. Zimmerman, per diem.....	42 00
January	29.	J. C. Zimmerman, per diem.....	42 00
February	5.	J. C. Zimmerman, per diem.....	42 00
February	12.	J. C. Zimmerman, per diem.....	42 00
February	19.	J. C. Zimmerman, per diem.....	42 00
March	5.	J. C. Zimmerman, per diem.....	84 00

Total.....	\$432 40
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Aggregate amounts of warrants drawn by the Speaker in favor of the Principal Clerk and his employes, for the session 1877, three thousand four hundred and eleven dollars (\$3,411):

January	15.	Cyrus T. Nixon, per diem.....	\$72 00
January	22.	Cyrus T. Nixon, per diem.....	42 00
January	29.	Cyrus T. Nixon, per diem.....	42 00
February	5.	Cyrus T. Nixon, per diem.....	42 00
February	12.	Cyrus T. Nixon, per diem.....	42 00
February	19.	Cyrus T. Nixon, per diem.....	42 00
February	26.	Cyrus T. Nixon, per diem.....	42 00
March	5.	Cyrus T. Nixon, per diem.....	42 00
Total.....			<u>\$366 00</u>

January	15.	J. Stafford, per diem.....	\$60 00
January	22.	J. Stafford, per diem.....	35 00
January	29.	J. Stafford, per diem.....	35 00
February	5.	J. Stafford, per diem.....	35 00
February	12.	J. Stafford, per diem.....	35 00
February	19.	J. Stafford, per diem.....	35 00
March	5.	J. Stafford, per diem.....	70 00
Total.....			<u>\$305 00</u>

January	15.	John Ratliff, per diem.....	\$60 00
January	22.	John Ratliff, per diem.....	35 00
January	29.	John Ratliff, per diem.....	35 00
February	5.	John Ratliff, per diem.....	35 00
February	12.	John Ratliff, per diem.....	35 00
February	19.	John Ratliff, per diem.....	35 00
March	5.	John Ratliff, per diem.....	70 00
Total.....			<u>\$305 00</u>

January	15.	Samuel Adams, per diem.....	\$60 00
January	22.	Samuel Adams, per diem.....	35 00
January	29.	Samuel Adams, per diem.....	35 00
February	5.	Samuel Adams, per diem.....	35 00
February	12.	Samuel Adams, per diem.....	35 00
February	19.	Samuel Adams, per diem.....	35 00
February	26.	Samuel Adams, per diem.....	35 00
March	5.	Samuel Adams, per diem.....	35 00
Total.....			<u>\$305 00</u>

January 15.	F. White, per diem	\$60 00
January 22.	F. White, per diem	35 00
January 29.	F. White, per diem	35 00
February 3.	F. White, per diem	22 50

Total..... \$152 50

January 15.	John Wilkens, per diem.....	\$60 00
January 22.	John Wilkens, per diem.....	35 00
January 29.	John Wilkens, per diem.....	35 00
February 5.	John Wilkens, per diem... ..	30 00
February 19.	John Wilkens, per diem.....	35 00
March 5.	John Wilkens, per diem.....	70 00

Total..... \$265 00

January 15.	T. J. Butler, per diem.....	\$60 00
January 22.	T. J. Butler, per diem.....	35 00
January 29.	T. J. Butler, per diem.....	35 00
February 5.	T. J. Butler, per diem.....	35 00
February 12.	T. J. Butler, per diem.....	35 00
February 19.	T. J. Butler, per diem.....	35 00
February 26.	T. J. Butler, per diem.....	35 00
March 5.	T. J. Butler, per diem.....	35 00

Total..... \$350 00

January 15.	E. E. Hay, per diem.....	\$60 00
January 22.	E. E. Hay, per diem.....	35 00
January 29.	E. E. Hay, per diem.....	35 00
February 5.	E. E. Hay, per diem.....	35 00
February 12.	E. E. Hay, per diem.....	35 00
February 19.	E. E. Hay, per diem.....	35 00
March 5.	E. E. Hay, per diem.....	70 00

Total..... \$305 00

January	15.	Wm. H. Murray, per diem.....	\$60 00
January	22.	Wm. H. Murray, per diem.....	35 00
January	29.	Wm. H. Murray, per diem.....	35 00
February	5.	Wm. H. Murray, per diem.....	35 00
February	12.	Wm. H. Murray, per diem.....	35 00
February	19.	Wm. H. Murray, per diem.....	35 00
March	5.	Wm. H. Murray, per diem.....	70 00

Total..... \$305 00

January	15.	Mrs. Ida L. Myers, per diem.....	\$60 00
January	22.	Mrs. Ida L. Myers, per diem.....	35 00
January	29.	Mrs. Ida L. Myers, per diem.....	35 00
February	5.	Mrs. Ida L. Myers, per diem.....	35 00
February	12.	Mrs. Ida L. Myers, per diem.....	35 00
February	19.	Mrs. Ida L. Myers, per diem.....	35 00
February	26.	Mrs. Ida L. Myers, per diem.....	35 00
March	5.	Mrs. Ida L. Myers, per diem.....	35 00

Total..... \$305 00

January	15.	A. L. Mason, per diem.....	\$60 00
January	22.	A. L. Mason, per diem.....	35 00
January	29.	A. L. Mason, per diem.....	35 00
February	5.	A. L. Mason, per diem.....	35 00
February	12.	A. L. Mason, per diem.....	35 00
February	19.	A. L. Mason, per diem.....	35 00
March	5.	A. L. Mason, per diem.....	70 00

Total... .. \$305 00

February	12.	Thomas Willis, per diem.....	\$35 00
February	19.	Thomas Willis, per diem.....	35 00
February	26.	Thomas Willis, per diem.....	35 00
March	5.	Thomas Willis, per diem.....	35 00

Total..... \$140 00

February	12.	C. S Denny, per diem.....	\$47 50
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Total..... \$47 50

Aggregate amount of warrants drawn by the Speaker in favor of the Assistant Clerk and his employes for the session, of 1877, two thousand five hundred and one dollars, (\$2,501.00.)

January	15.	James W. Cole, per diem	\$72 00
January	22.	James W. Cole, per diem.....	42 00
January	29.	James W. Cole, per diem.....	42 00
February	5.	James W. Cole, per diem.....	42 00
February	12.	James W. Cole, per diem.....	42 00
February	19.	James W. Cole, per diem.....	42 00
March	5.	James W. Cole, per diem.....	84 00

Total.....	\$366 00
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January	15.	James F. Bryer, per diem.....	\$60 00
January	22.	James F. Bryer, per diem	35 00
January	29.	James F. Bryer, per diem.....	35 00
February	5.	James F. Bryer, per diem....	35 00
February	12.	James F. Bryer, per diem.....	35 00
February	19.	James F. Bryer, per diem.....	35 00
February	26.	James F. Bryer, per diem.....	35 00
March	5.	James F. Bryer, per diem.....	35 00

Total	\$305 00
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January	15.	Clinton C. Riley, per diem.....	\$60 00
January	22.	Clinton C. Riley, per diem.....	35 00
January	29.	Clinton C. Riley, per diem.....	35 00
February	5.	Clinton C. Riley, per diem.....	35 00
February	12.	Clinton C. Riley, per diem.....	35 00
February	19.	Clinton C. Riley, per diem.....	35 00
February	26.	Clinton C. Riley, per diem.....	35 00
March	5.	Clinton C. Riley, per diem.....	35 00

Total.....	\$305 00
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January	15.	J. T. Cookus, per diem.....	\$60 00
January	22.	J. T. Cookus, per diem.....	35 00
January	29.	J. T. Cookus, per diem.....	35 00
February	5.	J. T. Cookus, per diem.....	35 00
February	12.	J. T. Cookus, per diem.....	35 00
February	19.	J. T. Cookus, per diem.....	35 00
February	26.	J. T. Cookus, per diem.....	35 00
March	5.	J. T. Cookus, per diem.....	35 00

Total.....	\$305 00
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January 15.	A. C. Johnson, per diem.....	\$60 00
January 22.	A. C. Johnson, per diem.....	35 00
January 29.	A. C. Johnson, per diem.....	35 00
February 5.	A. C. Johnson, per diem.....	35 00
February 12.	A. C. Johnson, per diem.....	35 00
February 19.	A. C. Johnson, per diem.....	35 00
March 5.	A. C. Johnson, per diem.....	70 00

Total..... \$305 00

January 15.	R. J. Patterson, per diem.....	\$60 00
January 22.	R. J. Patterson, per diem.....	35 00
January 29.	R. J. Patterson, per diem.....	35 00
February 5.	R. J. Patterson, per diem.....	35 00
February 12.	R. J. Patterson, per diem.....	35 00
February 18.	R. J. Patterson, per diem.....	30 00

Total..... \$230 00

February 24.	W. H. Brown, per diem.....	\$30 00
March 5.	W. H. Brown, per diem.....	45 00

Total..... \$75 00

January 15.	D. B. Johnson, per diem.....	\$60 00
January 22.	D. B. Johnson, per diem.....	35 00
January 29.	D. B. Johnson, per diem.....	35 00
February 5.	D. B. Johnson, per diem.....	35 00
February 12.	D. B. Johnson, per diem.....	35 00
February 19.	D. B. Johnson, per diem.....	35 00
February 24.	D. B. Johnson, per diem.....	25 00
March 5.	D. B. Johnson, per diem.....	45 00

Total..... \$305 00

January 15.	W. R. Garver, per diem.....	\$60 00
January 22.	W. R. Garver, per diem.....	35 00
January 29.	W. R. Garver, per diem.....	35 00
February 5.	W. R. Garver, per diem.....	35 00
February 12.	W. R. Garver, per diem.....	35 00
February 19.	W. R. Garver, per diem.....	35 00
February 24.	W. R. Garver, per diem.....	35 00
March 5.	W. R. Garver, per diem.....	45 00

Total..... \$305 00

Aggregate amount of warrants drawn by the Speaker in favor of the Principal Doorkeeper and his employes for the session of 1877, two thousand one hundred and sixty-six dollars (\$2,166):

January	15.	L. D. Baldwin, per diem.....	\$72 00
January	22.	L. D. Baldwin, per diem.....	42 00
January	29.	L. D. Baldwin, per diem.....	42 00
February	5.	L. D. Baldwin, per diem.....	42 00
February	12.	L. D. Baldwin, per diem.	42 00
February	19.	L. D. Baldwin, per diem.....	42 00
February	26.	L. D. Baldwin, per diem.....	42 00
March	5.	L. D. Baldwin, per diem... ..	42 00

Total.....	\$366 00
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January	15.	M. L. Johnson, per diem.....	\$60 00
January	22.	M. L. Johnson, per diem.....	35 00
January	29.	M. L. Johnson, per diem.....	35 00
February	5.	M. L. Johnson, por diem.....	35 00
February	12.	M. L. Johnson, per diem.....	35 00
February	19.	M. L. Johnson, per diem.....	35 00
February	23.	M. L. Johnson, per diem.....	20 00
March	5.	M. L. Johnson, per diem.....	50 00

Total.....	\$305 00
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January	15.	J. A. Gauntt, per diem.....	\$60 00
January	22.	J. A. Gauntt, per diem.....	35 00
January	29.	J. A. Gauntt, per diem.. ..	35 00
February	5.	J. A. Gauntt, per diem.....	35 00
February	12.	J. A. Gauntt, per diem.....	35 00
February	19.	J. A. Gauntt, per diem.....	35 00
March	5.	J. A. Gauntt, per diem.....	70 00

Total.....	\$305 00
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January	15.	J. W. Jordan, per diem	\$60 00
January	22.	J. W. Jordan, per diem.....	35 00
January	29.	J. W. Jordan, per diem.....	35 00
February	5.	J. W. Jordan, per diem.....	35 00
February	12.	J. W. Jordan, per diem.....	35 00
February	19.	J. W. Jordan, per diem.....	35 00
February	26.	J. W. Jordan, per diem.....	35 00
March	5.	J. W. Jordan, per diem.....	35 00

Total.....	\$305 00
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January 15.	A. B. Seibert, per diem.....	\$60 00
January 23.	A. B. Seibert, per diem.....	35 00
January 29.	A. B. Seibert, per diem.....	35 00
February 5.	A. B. Seibert, per diem.....	35 00
February 12.	A. B. Seibert, per diem.....	35 00
February 19.	A. B. Seibert, per diem.....	35 00
February 23.	A. B. Seibert, per diem.....	20 00
March 5.	A. B. Seibert, per diem.....	50 00

Total..... \$305 00

January 22.	Robert Nicols, per diem.....	\$17 50
January 27.	Robert Nicols, per diem... ..	12 50

Total..... \$30 00

January 15.	C. M. Sailors, per diem.....	\$30 00
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Total..... \$30 00

January 22.	Clara Shultz, per diem.....	\$17 50
January 29.	Clara Shultz, per diem.....	17 50
February 5.	Clara Shultz, per diem.....	17 50
February 12.	Clara Shultz, per diem.....	17 50
February 19.	Clara Shultz, per diem.....	17 50
March 5.	Clara Shultz, per diem.....	35 00

Total..... \$122 50

February 5.	J. C. Bland, per diem.....	\$22 50
February 12.	J. C. Bland, per diem.....	17 50
February 19.	J. C. Bland, per diem.....	17 50
February 26.	J. C. Bland, per diem.....	17 50
March 5.	J. C. Bland, per diem..... ..	17 50

Total..... \$92 50

January 15.	W. H. Russell, per diem.....	\$30 00
January 22.	W. H. Russell, per diem.....	17 50
January 29.	W. H. Rusaell, per diem.....	17 50
February 5.	W. H. Russell, per diem.....	17 50
February 12.	W. H. Russell, per diem.....	17 50
February 19.	W. H. Russell, per diem.....	17 50
February 23.	W. H. Russell, per diem.....	10 00
March 5.	W. H. Russell, per diem.....	25 00

Total..... \$152 50

January	15.	Daniel Sullivan, per diem.....	\$30 00
January	22.	Daniel Sullivan, per diem.....	17 50
January	29.	Daniel Sullivan, per diem.....	17 50
February	5.	Daniel Sullivan, per diem.....	17 50
February	12.	Daniel Sullivan, per diem.....	17 50
February	19.	Daniel Sullivan, per diem.....	17 50
February	26.	Daniel Sullivan, per diem.....	17 50
March	5.	Daniel Sullivan, per diem.....	17 50
Total.....			<u>\$152 50</u>

Aggregate amount of warrants drawn by the Speaker in favor of Committee Clerks for the session of 1877, ten hundred and fifty-nine dollars (\$1,059):

January	15.	M. A. Gilwick, per diem.	\$60 00
January	22.	M. A. Gilwick, per diem.....	35 00
January	29.	M. A. Gilwick, per diem.....	35 00
February	5.	M. A. Gilwick, per diem.....	35 00
February	12.	M. A. Gilwick, per diem.....	35 00
February	19.	M. A. Gilwick, per diem.	35 00
March	5.	M. A. Gilwick, per diem.....	70 00
Total.....			<u>\$305 00</u>

January	15.	S. B. Tibbits, per diem.....	\$60 00
January	22.	S. B. Tibbits, per diem.....	35 00
January	29.	S. B. Tibbits, per diem.....	35 00
February	5.	S. B. Tibbits, per diem.....	35 00
February	12.	S. B. Tibbits, per diem.....	35 00
February	19.	S. B. Tibbits, per diem.....	35 00
March	5.	S. B. Tibbits, per diem.....	70 00
Total.....			<u>\$305 00</u>

January	15.	T. L. Ewing, per diem.....	\$60 00
January	22.	T. L. Ewing, per diem.....	35 00
January	22.	T. L. Ewing, per diem.....	35 00
February	5.	T. L. Ewing, per diem.....	35 00
February	12.	T. L. Ewing, per diem.....	35 00
February	19.	T. L. Ewing, per diem.....	35 00
February	26.	T. L. Ewing, per diem.....	35 00
March	5.	T. L. Ewing, per diem.....	35 00
Total.....			<u>\$305 00</u>

February 5.	W. M. Hess, per diem.....	\$84 00
February 14.	W. M. Hess, per diem.....	60 00
Total.....		<u>\$144 00</u>

Aggregate amount of warrants drawn by the Speaker in favor of the Pages for the session of 1877, seven hundred and thirty-two dollars, (\$732.00) :

January 15.	Eddie H. Wright, per diem.....	\$36 00
January 22.	Eddie H. Wright, per diem.....	2 00
January 29.	Eddie H. Wright, per diem.....	14 00
February 5.	Eddie H. Wright, per diem.....	14 00
February 12.	Eddie H. Wright, per diem.....	14 00
February 19.	Eddie H. Wright, per diem.....	14 00
March 5.	Eddie H. Wright, per diem.....	28 00
Total.....		<u>\$122 00</u>

January 15.	Willie L. Sterrett, per diem.....	\$36 00
January 22.	Willie L. Sterrett, per diem.....	2 00
January 29.	Willie L. Sterrett, per diem.....	14 00
February 5.	Willie L. Sterrett, per diem.....	14 00
February 12.	Willie L. Sterrett, per diem.....	14 00
February 19.	Willie L. Sterrett, per diem.....	14 00
March 5.	Willie L. Sterrett, per diem.....	28 00
Total.....		<u>\$122 00</u>

January 15.	Thomas H. Scott, per diem.....	\$36 00
January 22.	Thomas H. Scott, per diem.....	2 00
January 29.	Thomas H. Scott, per diem.....	14 00
February 5.	Thomas H. Scott, per diem.....	14 00
February 12.	Thomas H. Scott, per diem.....	14 00
February 19.	Thomas H. Scott, per diem.....	14 00
March 5.	Thomas H. Scott, per diem.....	28 00
Total.....		<u>\$122 00</u>

January 15.	Frank Wagner, per diem	\$36 00
January 22.	Frank Wagner, per diem	2 00
January 29.	Frank Wagner, per diem	14 00
February 5.	Frank Wagner, per diem	14 00
February 12.	Frank Wagner, per diem	14 00
February 19.	Frank Wagner, per diem	14 00
March 5.	Frank Wagner, per diem	28 00

Total.....	\$122 00
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January 15.	G. O. Cobb, per diem.....	\$36 00
January 22.	G. O. Cobb, per diem.....	2 00
January 29.	G. O. Cobb, per diem.....	14 00
February 5.	G. O. Cobb, per diem.....	14 00
February 12.	G. O. Cobb, per diem.....	14 00
February 19.	G. O. Cobb, per diem.....	14 00
March 5.	G. O. Cobb, per diem.....	28 00

Total.....	\$122 00
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January 15.	Willie Townsend, per diem.....	\$36 00
January 22.	Willie Townsend, per diem.....	2 00
January 29.	Willie Townsend, per diem.....	14 00
February 5.	Willie Townsend, per diem.....	14 00
February 12.	Willie Townsend, per diem.....	14 00
February 19.	Willie Townsend, per diem.....	14 00
March 5.	Willie Townsend, per diem.....	28 00

Total.....	\$122 00
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Special allowances, as per resolutions of the House of Representatives, March 5, 1877, and amount of warrants drawn by the Speaker for the payment of the same:

W. R. Oglebay, on account of prison committee.....	\$39 00
A. M. Scott, on account of prison committee.....	39 00
J. L. Sailors, on account of prison committee.....	18 00
A. A. Morrison, on account of prison committee.....	39 00
J. W. Davis, on account of prison committee.....	39 00
B. L. Harris, on account of prison committee.....	39 00
E. Cooley, on account of prison committee.....	39 00
H. H. Elwell, on account of prison committee.....	21 00
J. L. Johnson, on account of educational committee.....	25 30

John W. Houghton, on account of educational committee	\$25 30
John Chawner, on account of educational committee.....	25 30
Claude Matthews, on account of educational committee.....	25 30
Isaac Bumgarner, on account of educational committee....	25 30
Robert C. Foster, on account of educational committee....	25 30
W. H. Thompson, on account of building committee.....	35 00
Stephen Albert, on account of building committee.....	35 00
J. C. Adams, on account of building committee.....	35 00
T. Baker & Co. Grand Hotel, for rent for rooms for committees of the House of Representatives for the regular session of 1877.....	300 00
Cyrus T. Nixon, Principal Clerk, on account of calendar, etc.....	300 00
James W. Cole, Assistant Chief Clerk, on account indexing, etc.....	300 00
Joel Stafford, Reading Clerk, extra allowance.....	100 00
C. C. Riley, Principal Journal Clerk, extra allowance.....	100 00
James T. Bryer, Minute Clerk, extra allowance.....	100 00
J. A. Gauntt, Assistant Doorkeeper, expenses attending prison committee.....	39 00
J. C. Bland, extra services rendered as Sweeper of the House.....	61 00
Clara Shultz, extra services as Paper Folder.....	61 00
William H. Russell, extra services.....	61 00
Daniel Sullivan, extra services.....	61 00
Lewis Jenkins, services rendered as fireman and coal carrier.....	213 50
L. D. Baldwin, extra services rendered as Principal Doorkeeper, extra allowance.....	50 00
Robert Nichols, services rendered as Gatekeeper.....	183 50
Willie Townsend, services rendered as Speaker's Page.....	30 50
Eddie Wright, services rendered as Floor Page.....	30 50
Willie Sterrett, services rendered as Floor Page.....	30 50
George O. Cobb, services rendered as Principal Clerk's Page.....	30 50
Thomas A. Scott, services rendered as Floor Page.....	30 50
Frank Wagner, services rendered as Floor Page.....	30 50
W. W. Curry, services rendered as Clerk to the committee on ways and means.....	200 00
Frank White, extra services as Enrolling Clerk	20 00
Browning & Sloan, for disinfectant for use of House.....	4 00

Spiegel & Thoms, for tables, sash cords and repairs.....	23 50
John Heidlum, for desk for Clerk of the House.....	12 00
J. C. Dunn, for gas fittings and repairing water pipe and plumbing work for House.....	54 80
C. Kindler, for locks, keys and repairs for the House.....	33 10
McOuat & Co., for coal-hod, water bucket, etc., for use of House	3 95
Franklin Life Insurance Company, for rent of two rooms for Clerk of the House 60 days.....	75 00
Story, New & Co., for two locks.....	2 50
Indianapolis Journal Co., for printing and stationery.....	241 88
George Huffman, for repairing doors in House.....	3 00
Yohn & Porter, for letter-press for Clerk of House.....	6 75
Cyrus T. Nixon, for two tons hard coal for enrolling rooms for Clerk of House.....	15 00
Whole amount of warrants drawn.....	3,338 28
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Grand total of warrants drawn by the Speaker for all purposes	<u>\$57,091 28</u>

Mr. Davis moved that the House adjourn *sine die*.

The Speaker then delivered the following address :

Gentlemen of the House of Representatives :

I thank you for the uniform kindness and courtesy extended to me at all times in my efforts to perform the duties of presiding officer. It has been my purpose at all times to act here "without fear, favor, or affection," but with impartiality towards all. In so far as I may have failed in this my purpose, in so far error and human weakness have made good intentions ineffectual. If in the hurry of business, injustice has been done to any, I here ask "unanimous consent" that such act may be expunged from all our memories forever. Our session has been laborious. A great amount of work has been accomplished. When the laws which we have enacted, and the daily journals of our proceeding shall have been published, there will be found none to deny that this session of the General Assembly has done its work well. We made one mistake which no General Assembly should hereafter make, although in making the mistake we but imitated all our predecessors. We commenced to act upon our appropriation and revenue bills too late. Let us hope that no General Assembly hereafter will allow the middle of the session to pass without having these bills read a first

time. While some interests have not been attended to, and while the disappointment incident thereto is yet new, we shall be criticised by some. But, upon the second sober thought I am satisfied that our labors will receive the same kind consideration from the people as has been extended to us as a body during our session here.

And now, with kind wishes for all with whom I have been associated here, wishing you, one and all, "long life and long health," I bid you adieu, and declare this House adjourned without day.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

Attest :

CYRUS T. NIXON, Principal Clerk.

JAMES W. Cole, Assistant Clerk

HOUSE JOURNAL

SPECIAL SESSION,

FIFTIETH GENERAL ASSEMBLY,

BEGUN

TUESDAY, MARCH 6, 1877.

SPECIAL SESSION.

TUESDAY MORNING,

MARCH 6, 1877.

During the Special Session of the General Assembly of the State of Indiana, begun and held in the City of Indianapolis, on Tuesday, the sixth day of March, in the year of our Lord, one thousand eight hundred and seventy-seven, being the day fixed for the same by the following proclamation of the Governor of the State of Indiana, calling the said Special Session:

A proclamation by the Governor, convening the Fiftieth General Assembly in Special Session. Given March 5, 1877.

THE STATE OF INDIANA,
EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 5, 1877.

The General Assembly having failed to make adequate provision for the expenses of the State government during the ensuing two years, and to pass bills of importance remaining on the files of the two houses at the close of the session ending with this day, it is the opinion of the Governor that the public welfare requires a brief Special Session for the completion of pending business; therefore,

I, James D. Williams, Governor of the State of Indiana, do hereby issue this, my proclamation, and call upon the General Assembly of the State of Indiana to convene in special session on Tuesday, March 6, A. D. 1877, at 9 o'clock in the forenoon.

Witness the seal of the State and the signature of the Governor.

[SEAL.]

JAMES D. WILLIAMS,
Governor of Indiana.

By the Governor:

JOHN E. NEFF,
Secretary of State.

In obedience to the foregoing proclamation, the members of the House of Representatives convened in their hall on the day and hour above mentioned.

The Hon. John E. Neff, Secretary of State, by virtue of the authority conferred upon him by law, called the House to order, and upon a call of the roll the following members appeared and were sworn by the Hon. Wm. E. Niblack, Judge of the Supreme Court of the State of Indiana, and took their seats: Messrs. Adams, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Carr, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey Oglebay, Overmyer, Paige, Priest, Pelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring and Zimmerman—93.

The Chairman announced that nominations for Speaker were in order.

Mr. Johnson of Carroll offered the following resolution:

Resolved by the House of Representatives, That Hon. John Overmyer, Speaker of the House of Representatives at the regular session, be and he is hereby declared to be elected Speaker of the House for the special session; that Cyrus T. Nixon, Principal Clerk of the regular session, be and is hereby declared Clerk of the House of the present special session; that James W. Cole, Assistant Clerk of the House during the regular session, be and is hereby declared Assistant Clerk during this special session; that L. D. Baldwin, Doorkeeper of the House during the regular session, be and is hereby declared to be Doorkeeper during this special session.

Which was unanimously adopted by a standing vote.

The Speaker elect then came forward and took the oath of office at the hands of Judge Niblack, and took his seat as Speaker.

The Speaker then administered the oath of office to Cyrus T. Nixon, Principal Clerk; James W. Cole, Assistant Clerk; and Lancaster D. Baldwin, Doorkeeper, who each entered upon the discharge of his respective duties.

Mr. Lehman offered the following resolution :

Resolved, That the rules of this regular session be adopted as the rules of the special session.

Which was adopted.

Mr. Lehman offered the following resolution :

WHEREAS, It will be for the best interest of the people that the special session of the fiftieth General Assembly shall not extend beyond a week ; therefore,

Resolved by the House of Representatives, the Senate concurring, That the special session of the Fiftieth General Assembly of the State of Indiana will adjourn *sine die* on Monday next the 12th day of March, 1877.

Mr. Yaryan moved to lay the resolution upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Lehman and Yaryan.

Those who voted in the affirmative were Messrs. Adams, Austin, Baxter, Benz, Bumgarner, Cary, Carr, Cole, Collins, Cooley, Craft, Freeman, Girton, Gossman, Guthrie, Harper, Hatfield, Hauss, Henderson, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Lanham, Lockhart, Moorman, Morgan, Peelle, Sailors, Scott, Thompson of Elkhart, Thomson of Miami, Wells, Yaryan, Zimmerman and Mr. Speaker—38.

Those who voted in the negative were Messrs. Ashby, Askren, Branyan, Carlton, Chawner, Coffman, Compton, Conley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Foster of Allen, Foster of Monroe, Fromm, Hall, Harris, Highway, Hosmer, Johnson of Carroll, Kennedy of Union, Langdon, Lehman, Little, Madden, Marsh, Mathews, Merriman, McCarty, McGaughey, Oglebay, Paige, Perigo, Rea, Riley, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Warrum, Welborn, Whitehead and Zehring—47.

So the resolution was not laid upon the table.

Mr. Peelle offered the following resolution as a substitute for Mr. Lehman's resolution :

Resolved by the House, the Senate concurring, That after we have

passed the appropriation bills and disposed of the business now pending, that we adjourn *sine die*.

Mr. Compton moved that the substitute be laid upon the table.

The ayes and noes were demanded by Messrs. Peelle and Compton.

Those who voted in the affirmative were Messrs. Ashby, Bran-
yan, Carlton, Coffman, Compton, Conley, Copeland, Crumpacker,
Dannettell, Davis, Foster of Monroe, Fromm, Hall, Harper, High-
way, Hosmer, Langdon, Lehman, Madden, Marsh, Mathews, Peri-
go, Rea, Riley, Spencer, Stewart, Viehe and Warrum,—28.

Those who voted in the negative were Messrs. Adams, Ask-
ren, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carr, Chaw-
ner, Cole, Collins, Cooley, Craft, Elwell, Endsley, Foster of Allen,
Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Harris,
Hatfield, Hauss, Henderson, Houghton, Hubbard, Johnson of
Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of
Union, Kimmell, Koontz, Lanham, Leeper, Little, Lockhart,
Merriman, Moorman, Morgan, McGaughey, Oglebay, Paige,
Peelle, Reno, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of
Elkhart, Thompson of Howard, Thomson of Miami, Welborn,
Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr.
Speaker—62.

So the substitute was not laid upon the table.

Mr. Peelle moved the previous question, which was seconded,
and the main question ordered, being upon the adoption of the sub-
stitute.

Which was then adopted.

Mr. Langdon offered the following resolution :

Resolved, That the ways and means committee be directed to report
new bills for appropriations at the earliest moment.

Which was adopted.

Mr. Paige offered the following resolution :

Resolved by the House of Representatives, That we will not renew
the contracts of the regular session for committee rooms, and that no
further contracts for any such purpose be made; but that we
will confine ourselves to the use of State property for such pur-
poses.

Which was adopted.

Mr. Paige offered the following resolution :

Resolved, That the members of this House be limited in their speeches to five minutes each.

Which was adopted.

Mr. Henderson offered the following resolution :

Resolved, That the Senate be informed that the House has organized by electing Hon. John Overmyer, Speaker, Cyrus T. Nixon, Principal Clerk, James W. Cole, Assistant Clerk, and L. D. Baldwin, Doorkeeper, and that the House is now ready to proceed to legislative business.

Which was adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate is now organized in Special Session and is ready for business.

Mr. Freeman moved that the House proceed to the consideration of bills on third reading.

Which was agreed to.

HOUSE BILLS ON THIRD READING.

Engrossed House Bill No. 466. A bill to legalize the organization and proceedings of gymnastic associations properly authorized under the law of 1865, after the repeal of said law in 1867.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Austin, Benz, Butler, Cary, Carlton, Cole, Conley, Cooley, Endsley, Fromm, Garber, Grubbs, Hall, Harper, Hatfield, Hauss, Henderson, Houghton, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Langdon, Lehman, Little, Marsh, Oglebay, Spencer, Stewart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Yaryan and Mr. Speaker—39.

Those who voted in the negative were Messrs. Bumgarner, Carr, Chawner, Coffman, Compton, Copeland, Craft, Crumpacker, Dannettell, Davis, Foster of Allen Foster of Monroe, Freeman, Gossman, Guthrie, Harris, Highway, Hubbard, Kennedy of Union,

Kimmel, Koontz, Lanham, Lockhart, Madden, Mathews, Merri-
man, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Rea,
Reno, Riley, Scott, Smith, Swayzee, Thompson of Elkhart, Wel-
born, Zehring and Zimmerman—42.

So the bill was lost.

Mr. Johnson of Carroll offered the following resolution :

Resolved by the House, the Senate concurring, That a committee of two on the part of the House, and a like number on the part of the Senate, be appointed to wait upon his Excellency, the Governor, and inform him that the two Houses of the General Assembly are now organized and ready to receive any communication which he may desire to make to the General Assembly.

Which was adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House for the appointment of a committee to inform His Excellency, the Governor, of the organization of the Fiftieth General Assembly in special session, and that the General Assembly is now ready to receive any communication he may desire to make, and the President of the Senate has appointed upon such committee upon the part of the Senate, Mr. Reeve and Mr. Baxter.

The Speaker appointed as such committee on the part of the House, Messrs. Johnson of Carroll and Lanham.

Engrossed House Bill No. 236. A bill providing for the election of school directors, prescribing their powers, duties and qualifications, repealing all laws in conflict therewith and declaring an emergency.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Askren, Baxter, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Cole, Conley, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Harris, Hauss, Henderson, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Langdon, Lanham, Leeper, Lockhart, Mathews, Marsh, Morgan, McGaughey, Oglebay, Peelle,

Sailors, Scott, Smith, Spencer, Swayzee, Thompson of Howard, Thomson of Miami, Welborn, Wells, Yaryan and Mr. Speaker—52.

Those who voted in the negative were Messrs. Ashby, Austin, Benz, Bumgarner, Coffman, Collins, Compton, Cook, Cooley, Copeland; Foster of Allen, Fromm, Girton, Hall, Harper, Highway, Houghton. Kennedy of Union, Koontz, Lehman, Little, Madden, Merriman, Moorman, McCarty, Perigo, Rea, Reno, Riley, Stewart, Thomas, Thompson of Elkhart, Viehe, Warrum, Whitehead, Zehring and Zimmerman—37.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

By consent, the words "and declaring an emergency" was stricken from the title.

Engrossed House Bill No. 271. A bill in relation to foreign insurance companies doing business in this State, defining their duties and providing for the safety of money, merchandise and other articles intrusted to their care.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Girton, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Dearborn, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—76.

Those who voted in the negative were Messrs. Carr, Fromm, Kennedy of Union, Reno and Riley—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Johnson of Carroll from the joint select committee to wait upon the Governor, submitted the following report :

MR. SPEAKER :

The committee appointed by your Honor to wait upon the Governor to learn if he desired to make any communication to the General Assembly, ask to report that they have discharged the duty imposed upon them and have found that the Governor desires to offer his communication to-day at 11 o'clock, A. M.

Engrossed House Bill No. 30. A bill providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, and repealing all laws in conflict.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Baxter, Branyan, Butler, Cary, Carlton, Carson, Chawner, Cole, Compton, Craft, Dannettell, Endsley, Foster of Monroe, Garver, Hall, Harris, Hatfield, Hauss, Henderson, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Union, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Morrison, Merriman, Morgan, McCarty, McGaughey, Oglebay, Peelle, Perigo, Reno, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Wells, Zehring, Zimmerman and Mr. Speaker—55.

Those who voted in the negative were Messrs. Askren, Austin, Benz, Bumgarner, Coffman, Collins, Conley, Cook, Cooley, Copeland, Crumpacker, Freeman, Fromm, Grubbs, Guthrie, Harper, Highway, Johnson of Dearborn, Kimmell, Leeper, Marsh, Mathews, Paige, Rea, Riley, Spencer, Warrum, Whitehead and Yaryan—29.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Viehe moved the following amendment thereto :

I move to amend the title of the bill to read as follows :

“ A bill for an act in reference to the number of justices of the peace and their official bonds.”

Which was agreed to.

Mr. Henderson moved that a committee be appointed to inform the Senate that the House is now ready to meet in joint convention

to hear any message the Governor might be pleased to communicate.

Which was agreed to, and the Speaker appointed as such committee Messrs. Henderson and Cole.

Messrs. Oglebay and Gossman were granted leave of absence.

Engrossed House Bill No. 416. A bill in reference to contracts made in this State with agents of foreign insurance companies or other corporations.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Branyan, Butler, Cary, Carlton, Carson, Chawner, Cole, Collins, Compton, Conley, Copeland, Craft, Davis, Endsley, Foster of Allen, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Reno, Sailors, Scott, Smith, Spencer, Swayzee, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—65.

Those who voted in the negative were Messrs. Austin, Baxter, Benz, Cook, Cooley, Crumpacker, Foster of Monroe, Girton, Johnson of Dearborn, Lockhart, Merriman, Stewart, Thomas, Thompson of Miami—14.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

The hour for the Joint Convention having arrived, the Senate escorted by the committee on the part of the House, appeared and were assigned to seats, and the President of the Senate was conducted to the chair, and called the Convention to order.

Mr. Carlton moved that a committee be appointed to wait upon His Excellency, Governor Williams, and inform him that the two houses, in joint convention assembled, awaited his pleasure.

Which was agreed to.

The Chair appointed Mr. Carlton and Senator Bearss to act as such committee.

The committee returning, reported that the Governor would communicate his message through his Private Secretary.

Whereupon the following message from His Excellency, Governor Williams, was read by the Principal Clerk of the House:

MESSAGE FROM THE GOVERNOR.

Gentlemen of the Senate and House of Representatives:

I regret that my official duty has required of me the act by reason of which you are detained at the Capital and convened in this special session. The service of the people of our State, when once undertaken, must be completed to their satisfaction. Your constituents have made you their agents for a limited period. They have given you power, under constitutional restrictions, to express their will. The laws which they are bound to know and obey during the ensuing two years are to be such only as you leave upon the files of the Executive Department of the Government.

You have now been engaged upon the business entrusted to you for the full constitutional period of sixty-one days. The results of your labors have been certified to me by your presiding officers, as provided by our organic law. They consist of fifty-six bills originating in the Senate, forty-five originating in the House, and several joint resolutions originating in each. I congratulate you upon the passage of the joint resolutions proposing amendments to our Constitution. They will doubtless commend themselves to the people and recommend you to their favor upon your return to your homes. A large number of the bills which you have enacted and presented for my consideration, are designed to legalize acts supposed to have been unwarranted by law and, possibly in some instances, without merit in themselves. While I have in each instance yielded my judgment to your expressed opinion, I deprecate this frequent resort to legislation *after the fact*. It is to be hoped that you have now so fully anticipated the wants of the community in this respect that the statutes left in force will prove to be certain rules of action prescribed for the guidance of our people, and that in the administration of our public affairs such great care may be exercised by public servants in pursuing the path marked by you, that both the letter and the spirit of the law may be adhered to closely and neither be violated.

Another large part of the bills received from you are designed to fix the terms and times of holding our courts. I am unable to

see why this branch of the labors of your department may not be disposed of once for all by a permanent general law authorizing the judiciary to fix the return day of process needful to the exercise of their powers. I am sure that under such authority the courts could always be open and that a suitor would be certain to obtain his remedy by due course of law, freely, completely and speedily administered. A step in this direction has been taken by you in your act by which the plaintiff may, on the filing of his complaint, fix the day upon which his adversary shall meet him or make default at the bar of the court. A like step has been taken to insure the speedy preparation of the evidence necessary to the information of the triers of the issue. The convenience of each party to the suit is met by an order of court fixing the time of taking depositions. You have also enacted a change in our law concerning mortgages, by which the party bringing an action is afforded record evidence of the ownership of all obligation secured by the mortgage with provisions that the mortgaged premises shall, when sold, be discharged of the liens of unrecorded assignments, and that assignees and transferees shall have the usual period to redeem the mortgaged premises. You have provided additional courts by erecting a Superior Court for each of the populous counties, Allen, Cass and Vanderburg, an additional judge for the superior Court of Marion County and by increasing, by one, the number of our circuit judges. You have provided for the better management of the finances of our cities and have afforded to the Capital city an opportunity for greater development and more enduring prosperity. You have so amended the act for the government of towns, that the Board of Trustees thereof have enlarged powers and more clearly defined rights of local self-government. You have provided for greater security to life and property upon our railroads. You have enacted a system of road supervision. You have insured the construction of a better quality of gravel and macadamized roads. You have consented to a measure of justice by which the burdens assumed by friends of good roads, in their speedy completion, are to be shared by their unwilling neighbors in equitable proportion. You have given attention to our harbors and wharves and have consented to the use by the General Government of so much of our territory as may be needful to works for the improvement of our navigable rivers. You have so far considered the matter of our public expenditures as to provide for the levy and collection of a reduced annual tax of twelve cents upon

each one hundred dollars of property and fifty cents upon each poll. These act have met my official approval and I trust will not be censured by the people whom we mutually serve.

In passing these acts you have done well, and as chief executive I thank you for them, but a very important duty remains with you. That you may discharge that duty, I have exercised the power conferred upon me, and by proclamation, convened you for a brief special session to-day.

Our Constitution provides that "No money shall be drawn from the treasury but in pursuance of appropriations made by law." Having set in motion the machinery by which the revenues are to be derived from the people and placed in the custody of the treasury officers, it seems but the work of a few hours and of diligent and respectful attention to the recommendations of your own committees to have formed and enacted a full and particular directory statute applying the moneys received to the payment of our acknowledged indebtedness as a State, and to the support and proper enlargement of our several benevolent, penal, reformatory, educational, and industrial institutions, and the fair remuneration of public officers and employes. During twenty-five years existence of the constitutional provision, many laws have been passed, by virtue of which permanent, continuing appropriations have come into force as channels conveying from the treasury to designated branches and departments of the public service, the means necessary to their sustenance. These general statutes have become so numerous, and their place in the books so far unknown, as to occasion unmerited criticism of the faithful and authorized expenditures. After two years careful study and reform of the treasury system of the State, the present officials presented to you the result of their efforts to bring order out of the confusion which had existed. It was plainly shown that, with a few unimportant exceptions, all departments of our service are provided for, and that the biennial acts, making appropriations, have not so much served to fix the payments authorized by them as to add to their existing indefiniteness. Your committees fully examined the recent reports, reviewed the existing laws, and conferred freely with the officers immediately charged with their execution. After full consideration of the facts thus learned, and a deference to the reports of other committees charged with the duties of investigation and report, your committees framed and reported to you the bill for an act which would meet all requirements of the Government during

two years and seven months from April 1, 1877, and effectually limit payments from the treasury. This bill failed of its passage. It is not for me to assume that a want of confidence in your committees, or a distrust of officers acting as yourselves, under oath, or a want of familiarity with the subjects presented, or even that a disregard of the public welfare, induced your adverse action upon the proposed law.

At a late hour last night I was made aware of your probable adjournment without final action, and requested your attendance in this special session to complete the unfinished business of public importance remaining on your files. Without further enactments than those which you have left in force, the benevolent, and possibly the penal institutions can be supported as enjoined by the Constitution, and in general the ordinary expenditures can be lawfully made. It is more particularly for expenditures of an extraordinary character that you are asked to legislate.

Our indebtedness, foreign and domestic, permanent and temporary, costs us in interest nearly \$300,000 annually. For the payment of this an appropriation is needed.

An enlargement of our Hospital for the Insane has been prosecuted nearly to the enclosure of a spacious and well planned department for women. An appropriation of \$300,000 is asked for its speedy completion. Completed it will provide for the female insane of the State, and by relieving the present building of the women who are now inmates, afford ample room for the insane men.

The large and rapidly increasing number of convicts in the Prison North, and the inadequate provision made for their care, have already been fully brought to your notice.

The Prison South, while entering upon a more promising system of contracts, is under the cloud of a heavy indebtedness, held in large measure by persons in the immediate locality. It is for the credit of the State that I ask you to do something for this class of indebtedness contracted for supplies furnished upon faith of payment by you. It is worthy your consideration that, without special appropriation, the Female Prison and Reformatory Institution would be seriously affected in its pioneer work of decently executing the sentences of imprisonment of vicious and depraved women, and of educating wayward girls into a better life. So long as we undertake to punish crime by separating the criminal from the immediate society of the members of community whose laws he

has violated, and do not remove him by banishment to a distant country, let us provide for our convicts such accommodations as will secure them within the limits imposed, and not violate the first principles of man's humanity to man.

Our agricultural interests have claimed recognition by you and greatly need some assistance at your hands. Your committees have gained for you full information on the points to be considered, and I sincerely trust, that you will adopt their recommendations and make an appropriation of at least \$25,000 to enable the Board of Agriculture to save their property from great sacrifice, while providing adequate security for its repayment to the State.

I leave the propriety of any further legislation to you, hoping that you will leave nothing undone which the public welfare demands, and that when you shall have completed your labors here you may return to your homes in the full assurance that your acts will meet the approval of your constituents.

JAMES D. WILLIAMS,

EXECUTIVE DEPARTMENT,

Governor.

March 6, 1877.

At the conclusion of the reading of the message, the President of the Convention announced that the business for which the Joint Convention had assembled was completed, and the Senate returned to its chamber.

Mr. Branyan made the following motion :

MR. SPEAKER:

I move that three hundred copies of Governor Williams' message, read in this House this day, be printed for the use of the members of this House.

Mr. Paige offered the following substitute for the resolution offered by Mr. Branyan:

Resolved, That five thousand copies of the Governor's message be printed, fifteen hundred of that number in German.

Which was not agreed to, and the motion of Mr. Branyan was then adopted.

Mr. Thompson of Elkhart, then offered the following resolution :

Resolved, That the Doorkeeper be requested to place the printed bills back on the desks of the members of this House.

Which was adopted.

Mr. Coffman was granted leave of absence until Thursday morning.

The Speaker announced the following changes in the standing committees of the House :

The standing committees of the House at the last regular session will be continued, with the exception of the following change, necessitated by the continued sickness of Mr. Lane :

1. Mr. Morgan will act as chairman of the committee on benevolent and scientific institutions, and Mr. Riley will take the present position of Mr. Morgan on that committee.

2. Mr. Cole will act as chairman of the committee on rights and privileges.

3. Mr. Zimmerman will take the place of Mr. Lane on the committee on engrossed bills.

4. Mr. Elwell will take the place of Mr. Lane on the committee on enrolled bills.

Engrossed House Bill No. 424. A bill to provide for furnishing subjects for dissection and medical examination to legally authorized medical colleges and physicians of this State, and forbidding the removal of dead bodies from graves, vaults, or any other place without proper authority so to do, providing penalties for the violation of the same, and repealing all laws inconsistent herewith.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Ashby, Austin, Carson, Chawner, Cole, Collins, Compton, Cook, Craft, Foster of Monroe, Guthrie, Hatfield, Hubbard, Kennedy of Rush, Koontz, Langdon, Lanham, Lehman, Lockhart, Marsh, Mathews, Moorman, Morgan, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Howard, Wells and Yaryan—31.

Those who voted in the negative were Messrs. Adams, Askren, Baxter, Branyan, Bumgarner, Butler, Carlton, Conley, Cooley, Copeland, Crumpacker, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Hall, Harris, Harper, Hauss, Henderson, Highway, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Leeper, Little, Merriman, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Stewart, Thompson of Elkhart, Viehe, Whitehead, Zehring, Zimmerman and Mr. Speaker—48.

So the bill was lost.

Pending bills on third reading, the House adjourned.

AFTERNOON SESSION,

TUESDAY, March, 6, 1877.

The House met, with the Speaker in the chair.

HOUSE BILLS ON SECOND READING.

House Bill No. 492, introduced by Mr. Hulet, was read the second time and referred to the committee on elections.

House Bill No. 493, introduced by Mr. ———, was read the second time and referred to the committee on organization of courts.

House Bill No. 494, introduced by Mr. Foster of Allen, was read the second time and referred to the committee on organization of courts.

House Bill No. 495, introduced by Mr. Yaryan, was read the second time and referred to the committee on organization of courts.

House Bill No. 496, introduced by Mr. Craft, was read the second time and referred to the committee on rights and privileges.

House Bill No. 497, introduced by Mr. Craft, was read the second time and referred to the committee on cities and towns.

House Bill No. 498, introduced by Mr. Craft, was read a second time and referred to the committee on judiciary.

House Bill No. 504, introduced by Mr. Bumgarner, was read a second time, and referred to the committee on railroads.

House Bill No. 505, introduced by Mr. Compton, was read a second time and referred to the committee on judiciary.

House Bill No. 506, introduced by Mr. Benz, was read a second time and referred to the committee on judiciary.

House Bill No. 507, introduced by Mr. McCarty, was read a second time and referred to the committee on benevolent institutions.

House Bill No. 508, introduced by Mr. Riley, was read a second time and referred to the committee on judiciary.

House Bill No. 509, introduced by Mr. Thompson of Elkhart, was read a second time and referred to the committee on fees and salaries.

House Bill No. 510, introduced by Mr. Albert, was read a second time and referred to the committee on rights and privileges.

House Bill No. 511, introduced by Mr. Hauss, was read a second time and referred to the committee on judiciary.

House Bill No. 512, introduced by Mr. Baxter, was read a second time and referred to the committee on roads.

House Bill No. 513, introduced by Mr. Carson, was read a second time and referred to the committee on cities and towns.

House Bill No. 514, introduced by Mr. Viehe, was read a second time and laid upon the table.

House Bill No. 515, introduced by Mr. Viehe, was read a second time and referred to the committee on judiciary.

House Bill No. 516, introduced by Mr. Adams, was read a second time and referred to the committee on judiciary.

House Bill No. 517, introduced by Mr. Henderson, was read a second time and referred to the committee on county and township business.

House Bill No. 518, introduced by Mr. Henderson, was read a second time and referred to the committee on county and township business.

House Bill No. 510, introduced by Mr. Adams, was read a second time and referred to the committee on judiciary.

House Bill No. 520, introduced by Mr. Adams, was read a second time and referred to the committee on rights and privileges.

House Bill No. 521, introduced by Mr. Adams, was read a second time and referred to the committee on judiciary.

House Bill No. 522, introduced by Mr. Adams, was read a second time and referred to the committee on education.

House Bill No. 523, introduced by Mr. Peelle, was read a second time, and referred to the committee on cities and towns.

House Bill No. 524, introduced by Mr. Peelle, was read a second time, and referred to the committee on insurance.

House Bill No. 525, introduced by Mr. Peelle, was read a second time, and referred to the committee on judiciary.

House Bill No. 526, introduced by Mr. Houghton, was read a second time, and referred to the committee on drains and dykes.

House Bill No. 527, introduced by Mr. Scott, was read a second time, and referred to the committee on judiciary.

House Bill No. 528, introduced by Mr. Foster of Monroe, was read a second time and referred to the committee on trust funds.

House Bill No. 529, introduced by Mr. Hall, was read a second time and laid on the table.

House Bill No. 530, introduced by Mr. Freeman, was read a second time and laid upon the table.

House Bill No. 531, introduced by Mr. Freeman, was read a second time and referred to the committee on reformatory institutions.

House Bill No. 532, introduced by Mr. Moorman, was read a second time and laid upon the table.

House Bill No. 533, introduced by Mr. Endsley, was read a second time and referred to the committee on judiciary.

House Bill No. 534, introduced by Mr. Endsley, was read a second time, and referred to the committee on county and township business.

House Bill No. 536, introduced by Mr. Kennedy of Union, was read a second time, and referred to the committee on fees and salaries.

House Bill No. 537, introduced by Mr. Kennedy of Union, was read a second time, and referred to the committee on judiciary.

House Bill No. 538, introduced by Mr. Carlton, was read a second time, and referred to the committee on cities and towns.

House Bill No. 539, introduced by Mr. Reno, was read a second time, and laid upon the table.

House Bill No. 540, introduced by Mr. Reno, was read a second time, and laid upon the table.

House Bill No. 541, introduced by Mr. Langdon, was read a second time, and referred to committee on Judiciary.

House Bill No. 542, introduced by Mr. Lockhart, was read a second time, and referred to the committee on rights and privileges.

House Bill No. 543, introduced by Mr. Lockhart, was read a second time and referred to the committee on judiciary.

House Bill No. 544, introduced by Mr. Ashby, was read a second time and referred to the committee on rights and privileges.

House Bill No. 545, introduced by Mr. Cooley, was read a second time and referred to the committee on ways and means.

House Bill No. 546, introduced by Mr. Sailors, was read a second time and referred to the committee on organization of courts.

House Bill No. 547, introduced by Mr. Fromm, was read a second time and referred to committee on judiciary.

House Bill No. 549, introduced by Mr. Carr, was read a second time and referred to the committee on temperance.

House Bill No. 552, introduced by Mr. Yaryan, was read a second time and referred to the committee on ways and means.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has adopted the following preamble and resolution, to-wit :

WHEREAS, It is necessary in legislation that members of both Houses should frequently advise with each other in relation to matters pertaining to the interests of their constituents ; and,

WHEREAS, It is at times necessary while both Houses are in session, that consultation should be had ; therefore, be it

Resolved, That the privileges and courtesies of the hall and floor of the Senate are hereby extended at all times during the session of the Senate to members of the House of Representatives, and that the Secretary of the Senate be and is hereby instructed to inform the House of this action of the Senate.

Also, that the Senate has adopted the following concurrent resolution, to-wit :

Resolved by the Senate, the House concurring, That the General Assembly will adjourn the special session at a period not later than Monday, the 12th day of March next.

I am also directed by the Senate to submit to the House of Representative, for the signature of the Speaker thereof, the following joint resolution, to-wit :

Enrolled Senate Joint Resolution No. 14. A joint resolution instructing our Senators in Congress, and requesting our Representatives to secure the early repeal of the national bankrupt law. And the same is herewith submitted.

And the same are herewith submitted to the House of Representatives for its concurrence therein.

The Speaker announced that he had signed Senate Joint Resolution No. 14.

Leave of absence was granted Mr. Scott until Thursday, and Mr. Warrum until to-morrow.

SENATE BILLS ON FIRST READING.

Engrossed Senate Bill No. 227. A bill to amend section 22 of an act entitled "An act concerning enclosures, trespassing animals and partition fences," approved June 4, 1852.

Was read a first time and passed to a second reading on to-morrow.

Engrossed Senate Bill No. 318. A bill relating to congressional township school lands, and the funds arising therefrom, in cases, where townships are divided by county lines, providing for the distribution of the proceeds thereof, prescribing the duties of county auditors and other officers relating thereto, fixing compensation of auditors, and other matters connected with the subject matter of the act, and declaring an emergency.

Was read a first time and passed to a second reading on to-morrow.

Engrossed House Bill No. 191, a bill to amend section 7 of an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such Court, and for the compensation of such Reporter," approved March 13, 1875, and declaring an emergency.

Previously read the third time, was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Chawner, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Hubbard, Hulet, Johnson of

Carroll, Johnson of Dearborn, Koontz, Lehman, Little, Madden, Mathews, Merriman, Moorman, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Wells, Whitehead and Zehring—65.

Those who voted in the negative were Messrs. Carson, Dannettell, Kennedy of Union, Kimmell, Lanham, Swayzee, Zimmerman and Mr. Speaker—8.

So the bill passed.

The question being, shall the title as read stand?

The words, "and declaring an emergency," were stricken out by consent.

Engrossed House Bill No. 419. A bill to amend section 2, of an act entitled "An act relation to county officers, approved May 31, 1857, and requiring auditors now office to give additional bonds.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Collins, Compton, Conley, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Allen, Fromm, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Henderson, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lanham, Lehman, Little, Madden, Marsh, Merriman, Moorman, McCarty, Paige, Peelle, Rea, Riley, Sailors, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Viehe, Zehring, Zimmerman and Mr. Speaker—60.

Those who voted in the negative were Messrs. Benz, Cook, Crumpacker, Hatfield, Hubbard, Mathews, Perigo, Priest, Reno, Stewart and Wells—11.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 479. A bill to amend section 26 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Branyan, Bumgarner, Butler, Cary, Carlton, Chawner, Cole, Collins, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Koontz, Lanham, Lehman, Little, Madden, Marsh, Merriman, Moorman, McCarty, Mathews, McGaughey, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Zehring and Mr. Speaker—61.

Those who voted in the negative were Messrs. Ashby, Askren, Austin, Baxter, Benz, Carr, Carson, Compton, Conley, Girton, Highway, Hosmer, Kimmell, Priest and Zimmerman—15.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

Engrossed House Bill No. 490. A bill to amend sections 11 and 12 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws, approved March 12, 1875, and repealing all laws in conflict herewith.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Baxter, Carson, Chawner, Cole, Collins, Conley, Cook, Craft, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Grubbs, Guthrie, Harper, Hauss, Henderson, Highway, Hubbard, Hulet, Kimmell, Koontz, Langdon, Lanham, Lehman, Madden, Marsh, Merryman, Moorman, McGaughey, Paige, Peelle, Priest, Rea, Reno, Sailors, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—51.

Those who voted in the negative were Messrs. Ashby, Askren, Austin, Benz, Bumgarner, Butler, Carr, Compton, Cooley, Copeland, Crumpacker, Foster of Allen, Fromm, Garver, Girton, Hall, Hatfield, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Little, Mathews, McCarty, Perigo, Spencer, Smith and Riley—28.

So the bill passed.

The question being, shall the title stand as read ?

It was so ordered.

Engrossed House Bill No. 145. A bill to amend section 18, of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Was read the third time.

By unanimous consent, Mr. Viehe offered the following amendment to the bill :

I move to amend this bill, by inserting after the word "children," in the proviso, the following words: "or their descendants."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Austin, Baxter, Bumgarner, Butler, Carson, Chawner, Cole, Collins, Conley, Cook, Cooley, Dannettell, Davis, Foster of Allen, Foster of Monroe, Fromm, Garver, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Henderson, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Lanham, Leeper, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—64.

Those who voted in the negative were Messrs. Benz, Branyan, Carr, Copeland, Freeman, Girton, Johnson of Carroll, Kennedy of Rush, Kooutz, Lehman and Reno—11.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 458. A bill to amend section 61, of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Austin, Baxter, Branyan, Butler, Chawner, Cole, Collins, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis,

Endsley, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Madden, Marsh Mathews, Merriman, Moorman, McGaughey, Peelle, Perigo, Priest, Reno, Riley, Sailors, Smith, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—67.

Those who voted in the negative were Messrs. Benz, Bumgarner, Carr, Carson, Conley, Foster of Allen, Koontz, McCarty, Rea and Swayzee—10.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 470. A bill to amend section 16 of an act entitled "An act to provide for the government and discipline of the State Prison, and to repeal an act to provide for the government and discipline of the State Prison," approved March 3, 1855, and all other laws, or parts of laws, inconsistent herewith, prohibiting the use of the "cat" in the punishment of prisoners, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Baxter, Benz, Branyan Bumgarner, Butler, Carr, Carson, Chawner, Cole, Craft, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Madden, Mathews, Merriman, Moorman, Peelle, Perigo, Sailors, Smith, Swazee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Zimmerman and Mr. Speaker—53.

Those who voted in the negative were Messrs. Askren, Austin, Collins, Conley, Cook, Copeland, Crumpacker, Davis, Foster of Allen, Henderson, Johnson of Dearborn, Lehman, Marsh, McCarty, Paige, Rea, Reno, Riley, Stewart and Yaryan—20.

So the bill passed.

The question being, shall the title as read stand?

By consent the words "and declaring an emergency" were stricken therefrom.

Mr. Viehe moved the following amendment to the title of the bill :

I move to amend the title of this bill as follows: Strike out al^l after the word "herewith," in line 8, and insert in place thereof the following: "And providing for a reduction in the term of imprisonment for good conduct."

Which was agreed to.

Mr. Branyan entered a motion to reconsider the vote by which House Bill No. 470 passed.

Engrossed House Bill No. 33. A bill to amend sections 2, 64 and 70 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers, and duties in civil cases," and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Baxter, Branyan, Butler, Carr, Carson, Chawner, Cole, Conley, Cooley, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Lanham, Leeper, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—66.

Those who voted in the negative were Messrs. Askren, Austin, Benz, Bumgarner, Collins, Cook, Copeland, Foster of Allen, Kennedy of Union, Paige, Viehe and Yaryan—12.

So the bill passed.

The question being, shall the title as read stand?

Mr. Smith moved the following amendment to the title :

Amend the title by striking out the word "two," in line 1, and writing the word "ten" instead.

Strike out the word "sixty-four," in line 2.

Strike out the words "and declaring an emergency," at its close. Which was agreed to.

Mr. Zehring entered a motion to reconsider the vote by which House Bill No. 490 was passed.

Mr. Branyan called up his motion to reconsider the vote on House Bill No. 470.

Mr. Adams moved to lay the motion on the table. Which was agreed to.

Engrossed House Bill No. 491. A bill repealing section 9, of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Butler, Carr, Carson, Chawner, Cole, Collins, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Lanham, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Zimmerman and Mr. Speaker—73.

Those who voted in the negative were Messrs. Kennedy of Union, Yaryan and Zehring—3.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

On Mr. Viehe's motion the vote by which House Bill No. 35 was passed, was reconsidered.

My unanimous consent Mr. Viehe offered the following amendment to the bill:

I move to amend the title of this bill to read as follows: A bill

for an act to amend section 70 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," and to amend section 2 of an act approved March 11, 1861, amending sections 8 and 10 of said act.

I further move to amend the bill as follows :

In section 1, line 4, strike out the word "tenth," and insert in lieu thereof the word "second."

Amend further by striking out in section 1, lines 4 and 5, the words "of the above entitled act."

Which was agreed to.

The question again being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ashby, Austin, Baxter, Branyan, Butler, Carr, Carson, Chawner, Cole, Conley, Cooley, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Harper, Hatfield, Henderson, Highway, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Madden, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Rea, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—66.

Those who voted in the negative were Messrs. Askren, Benz, Collins, Cook, Foster of Allen, Hosmer, Paige, Priest and Viehe—9.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 489. A bill to amend sections 13 and 14 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875, and repealing all acts or parts of acts coming in conflict with the provisions of this act.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Baxter,

Butler, Carson, Collins, Conley, Endsley, Freeman, Guthrie, Hauss, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Lanham, Leeper, Marsh, Merriman, Moorman, Peelle, Stewart, Thomas, Thompson of Elkhart, Viehe, Wells, Zehring and Zimmerman—28.

Those who voted in the negative were Messrs. Ashby, Askren, Austin, Benz, Branyan, Bumgarner, Chawner, Cook, Cooley, Cope-land, Craft, Crumpacker, Dannettell, Davis, Foster of Allen, Foster of Monroe, Garver, Girton, Grubbs, Hall, Harper, Hatfield, Henderson, Highway, Hosmer, Johnson of Carroll, Koontz, Langdon, Lehman, Little, Madden, Mathews, Morgan, McCarty, McGaughey, Paige, Perigo, Priest, Rea, Reno, Sailors, Smith, Swayzee, Thompson of Howard, Thomson of Miami, Welborn, Whitehead and Mr. Speaker—48.

So the bill was lost.

Engrossed House Bill No. 425. A bill to prevent shooting, netting, trapping, or otherwise taking or destroying quails; also, forbidding buying, selling, shipping or having in possession any quail or quails, for two years from and after taking effect of this act; providing what evidence shall be sufficient in certain cases, and repealing all laws in conflict herewith.

Was read a third time and laid upon the table.

Pending House bills on third reading, on motion of Mr. Askren, the House adjourned to meet at 9 o'clock to-morrow morning.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

MARCH 7, 1877.

The House met with the Speaker in the chair.

Leave of absence was granted Mr. Morgan.

On motion of Mr. Hulet, the reading of the journal of yesterday's proceedings was dispensed with.

Messrs. Albert and Claypool appeared and took the oath of office.

Mr. Yaryan, from the committee on ways and means, introduced House Bill No. 554. A bill making specific appropriations, and directing how they shall be paid.

Which was read a first time.

Mr. Grubbs moved that the constitutional rule be suspended, the bill read a second time by title, and a third time by sections.

Which was agreed to.

The ayes and noes being taken under the constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Edsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Langdon, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—77.

No member voting in the negative.

So the constitutional rule was suspended and the bill read a second time.

Mr. Scott offered the following amendment :

I move to strike out the amount of "two hundred dollars each to the Deputy Warden of the Prison South and Prison North for the past two years," and insert "two hundred dollars for each of said wardens for the years 1877 and 1878."

Which was agreed to.

Mr. Langdon offered the following amendment :

I move to amend by striking out "and towards furnishing building," on page 13 of written pages.

Which was agreed to.

Mr. Scott offered the following amendment :

I move to amend by giving two hundred dollars each to the Chaplain of the Prison North and Prison South for each of the years 1877 and 1878.

Which was agreed to.

Leave of absence until to-morrow was granted Messrs. Guthrie, Garver, Rea and Austin.

Mr. Carr offered the following amendment to the bill :

I move to strike out that part which provides for an appropriation for the State Board of Agriculture.

Mr. Grubbs moved the previous question.

Which was seconded by the House, and the main question ordered, being upon the adoption of Mr. Carr's amendment.

Messrs. Thomson of Elkhart and Branyan demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Baxter, Branyan, Cary, Carr, Compton, Conley, Cook, Dannettell, Davis, Hall, Hatfield, Highway, Hosmer, Hulet, Koontz, Lanham, Leeper, Little, Madden, Merriman, Moorman, McCarty, Perigo, Priest, Reno, Smith, Stewart, Swayzee, Thompson of Elkhart, Welborn and Zimmerman—34.

Those who voted in the negative were Messrs. Adams, Ames, Austin, Benz, Bumgarner, Butler, Carson, Chawner, Claypool, Collins, Cooley, Copeland, Craft, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Harper, Hauss, Henderson, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lockhart, Marsh, Mathews, McGaughey, Paige, Peelle, Sailors, Scott, Spencer, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Yaryau, Zehring and Mr. Speaker—45.

So the amendment was not adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER :

I am directed by the President of the Senate to inform the House that he has signed the following resolutions, to-wit :

Enrolled Senate Joint Resolution No. 14. A joint resolution instructing our Senators and requesting our Representatives to secure the early repeal of the National bankrupt law.

Mr. Freeman offered the following amendment :

“Amend as follows: And twenty-five hundred dollars for building a hospital at the House of Refuge for boys at Plainfield, on the lands belonging to the House of Refuge.”

Which on motion of Mr. Johnson of Carroll, was laid upon the table.

Mr. Grubbs offered the following amendment to the bill :

I move to amend section 3 as follows: For the new building of the Insane Hospital in addition to the fifty thousand dollars heretofore appropriated, two hundred thousand dollars.

Which on motion by Mr. Matthews was laid on the table.

House Bill No. 554. A bill making specific appropriations and directing how they shall be paid, was then by consent, considered engrossed.

Which was read the third time.

By unanimous consent Mr. Viehe offered the following amendment to the bill:

I move to amend this bill by striking out the word "Buskirk."

Which was adopted.

By unanimous consent Mr. Hall offered the following amendment to the bill :

WHEREAS, An emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh Mathews, Merriman, Moorman, McGaughey, Paige, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Hall, Hulet, Johnson of Dearborn, McCarty, Priest, Stewart, Swayzee and Warrum—8.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following message was received from His Excellency, Governor Williams :

The Honorable, the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House of Representatives that he has this day approved and signed House Enrolled Bills numbered and entitled as follows :

No. 37. An act to amend section 8 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and regulate such other matters as properly pertain thereto," approved March 14, 1867.

No. 284. An act to entitle the trustees of two or more adjacent counties or townships to form a new school district, and to build a school-house therein, and fixing the manner in which such expense shall be borne.

And that he has caused said acts to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, March 6, 1877.

By consent, Mr. Adams offered the following resolution :

WHEREAS, Death has visited our Chamber and removed from our midst the gentleman representing Scott, Jennings and Jefferson counties on this floor, Hon. A. A. Morrison ; therefore

Resolved, As a mark of our high appreciation of his services and character, and the esteem and respect entertained for him by his fellow-members, that this House be draped in mourning during the remainder of the session, and a committee of five be appointed by the chair to make all necessary arrangements for the funeral, and report at an early period to this House ; and as a further mark of our high regard and respect for the deceased, that this House do now adjourn until 2 o'clock.

Which was unanimously adopted.

The House adjourned until 2 o'clock P. M.

AFTERNOON SESSION,

WEDNESDAY, March 7, 1877.

The House met, with the Speaker in the chair.

Mr. Craft entered a motion to reconsider the vote by which House Bill No. 89 was lost on yesterday.

Mr. Yaryan, from the committee on ways and means, introduced House Bill No. 555, entitled "A bill making appropriations for the expenses of the State government and its institutions; directing the objects to which such appropriations shall be applied; requiring account to be kept and reported by the fiscal years of the State, and repealing inconsistent laws."

Which was read the first time.

The Speaker called Mr. Collins to the chair.

Mr. Overmyer moved that the constitutional rule be suspended, and the bill read the second and third times.

The ayes and noes being taken under the constitution :

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Mooriman, McCarty, McGaughhey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—86.

So the constitutional rule was suspended, and the bill was read the second time.

Mr. Hulet moved the following amendment to the bill :

Strike out the words "forty-three" where it refers to numbers of circuit judges and prosecuting attorneys, and insert in lieu thereof "forty-two."

Which, on motion by Mr. Kennedy of Rush, was laid upon the table.

Mr. Carlton moved the following amendment to the bill :

I move to amend the bill by inserting "to pay off indebtedness of the State Normal School, \$4,543.25."

Which was not adopted.

Mr. Carlton moved the following amendment to the bill :

I move to amend the bill by inserting therein the following in line 23, page 28. "Also to refund to the city of Terre Haute amount paid by said city for grading and graveling streets along the State Normal School property, \$403.50."

Which was adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Senate Bill No. 330. An act making appropriations for the expenses of the State government and its institutions, directing the object to which such appropriations shall be applied, requiring accounts of receipts and expenditures to be kept and reported by the fiscal years of the State, and repealing inconsistent laws.

And the same is respectfully submitted to the House for its action thereon.

Mr. Carlton offered the following amendment :

I move to amend the bill by inserting therein, "For building a fence around the Normal School grounds, \$2,000."

Which, on motion of Mr. Overmyer, was laid upon the table.

Mr. Branyan moved to suspend further consideration of the bill, until the General Appropriation Bill No. 330, just reported from the Senate, should be taken up and considered.

Mr. Grubbs moved to lay the motion upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Lehman and Marsh.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Cole, Collins, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Monroe, Freeman, Grubbs, Harris, Harper,

Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Moorman, McGaughey, Peelle, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead and Yaryan, Zimmerman and Mr. Speaker—49.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Benz, Branyan, Carlton, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Girton, Gossman, Hall, Hatfield, Hauss, Hosmer, Johnson of Carroll, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Reno, Spencer, Stewart, Viehe, Warrum and Zehring—36.

So the motion was laid upon the table.

Mr. Langdon moved the following amendment to the bill:

I move to amend by striking out the words, line 8, page 6, "fifteen hundred," inclusive of word "grounds," page 6, line 10, by inserting "for Purdue University for 1878, five thousand dollars for current expenses and repairs; twenty-five hundred dollars for apparatus and cabinets and fixtures; one thousand dollars for books and periodicals; and fifteen hundred dollars for stock, experiments in agriculture and horticulture and the improvement of ground, and before final action thereupon."

Mr. Langdon moved the following further amendment to the bill:

I move to amend by striking out the words commencing with "fifteen hundred," page 28, line 24, and ending with the word "treasury," line 2, page 29, by inserting "for Purdue University for 1877, three thousand dollars for current expenses, and two thousand dollars for apparatus and cabinets, machinery for machine shop and books and periodicals for library."

Mr. Lehman moved the previous question.

Which was seconded by the House and the main question ordered.

The question being upon the first amendment offered by Mr. Langdon.

The ayes and noes were demanded by Messrs. Langdon and Oglebay.

Those who voted in affirmative were Messrs. Ames, Askren, Benz, Branyan, Bumgarner, Carlton, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Craft, Endsley, Foster of Monroe, Girton, Gossman, Grubbs, Hall, Harris, Hauss, Hubbard,

Johnson of Carroll, Langdon, Little, Marsh, Mathews, McGaughey, Oglebay, Paige, Peelle, Priest, Scott, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Zehring and Mr. Speaker—43.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Baxter, Butler, Cary, Carr, Cook, Copeland, Crumpacker, Dannettell, Davis, Freeman, Fromm, Harper, Hatfield, Henderson, Highway, Hosmer, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Lockhart, Maddeu, Merriman, Moorman, McCarty, Perigo, Reno, Riley, Sailors, Smith, Spencer, Swayzee, Warrum, Welborn, Whitehead, Yaryan and Zimmerman—44.

So the amendment was not agreed to.

The question now recurring upon the second amendment offered by Mr. Langdon.

The ayes and noes were demanded by Messrs. Langdon and Oglebay.

Those who voted in the affirmative were Messrs. Askren, Benz, Branyan, Bumgarner, Carlton, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cooley, Craft, Endsley, Foster of Monroe, Girton, Gossman, Grubbs, Hall, Harris, Hauss, Johnson of Carroll, Langdon, Little, Marsh, Mathews, McGaughey, Oglebay, Paige, Peelle, Priest, Scott, Stewart, Thomas, Thompson of Elkhart, Thomson of Miami, Wells, Zehring and Mr. Speaker—40.

Those who voted in the negative were Messrs. Albert, Ashby, Baxter, Butler, Cary, Carr, Cook, Copeland, Crumpacker, Dannettell, Davis, Freeman, Fromm, Harper, Hatfield, Henderson, Highway, Hosmer, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, McCarty, Perigo, Reno, Riley, Sailors, Smith, Spencer, Swayzee, Thompson of Howard, Warrum, Welborn, Whitehead, Yaryan and Zimmerman—44.

So the amendment was not agreed to.

Mr. Overmyer moved that the bill be considered engrossed and read a third time.

Which was agreed to, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Cole, Collins, Compton, Conley,

Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—79.

Those who voted in the negative were Messrs. Askren, Gossman and Priest—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The order of business being House bills on third reading, was resumed.

Engrossed House Bill No. 344. A bill to amend section 1 of an act entitled, "An act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for violation thereof," approved February 22, 1871.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Claypool, Cole, Collins, Compton, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Fromm, Gossman, Hall, Harris, Harper, Hatfield, Hosmer, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Little, Madden, Marsh, Mathews, Moorman, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—69.

Those who voted in the negative were Messrs. Conley, Cooley, Girton and Riley—4.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The Speaker announced the appointment of Messrs. Lanham, Freeman, Davis and Paige as a committee to make proper arrangements concerning the funeral of Mr. Morrison.

Mr. Lanham offered the following resolution :

Resolved, That a committee of three on the part of the House, and a like committee on the part of the Senate, be appointed to prepare a series of resolutions expressive of the sense of this House respecting the death of Dr. A. A. Morrison, Representative of Scott, Jefferson and Jennings counties, and the Senate be notified of the action of the House.

Which was adopted.

The Speaker appointed as such committee, Messrs. Lanham, Peelle and Marsh.

Mr. Craft called up his motion to reconsider the vote by which House Bill No. 489 was lost on yesterday.

The motion to reconsider was agreed to.

The question again being, shall the bill pass?

Mr. Craft made the following motion :

I move to recommit House Bill No. 489, with these instructions : Amend section 1 as follows : Strike out the words " seven hundred and fifty dollars " in line 4, and insert the words " one thousand dollars."

Which was agreed to.

Mr. Carlton offered the following resolution :

Resolved, That the committee on county and township business be required to present their report on House Bill No. 322.

Which was adopted.

Mr. Peelle entered a motion to reconsider the vote by which House Bill No. 466 was lost on yesterday.

Mr. Hall offered the following resolution :

Resolved, That the Assistant Clerk be authorized to secure room 153, at the Grand Hotel, at an expense of not over \$2 50 per day, for the use of committees, and the clerks upon his staff employed in copying the journal.

Which was adopted.

By consent, Mr. Zehring withdrew his motion entered yesterday, to reconsider the vote on House Bill No. 490.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has appointed Messrs. Riley, Moore and Grove, as members of the committee on the part of the Senate, to draft resolutions of respect to the memory of Dr. A. A. Morrison, deceased, late a member of the House of Representatives.

Mr. Little, from the committee on county and township business, submitted the following report :

MR. SPEAKER :

Your committee on county and township business, to which was referred Engrossed Senate Bill No. 322, entitled " An act to legalize a contract heretofore made, and entered into on the 28th day of June, 1875, and between the board of county commissioners of Porter county, Indiana, and Henry B. Brown, have had the same under consideration, and have directed me to report the same back, with the recommendation that it do lie upon the table.

Mr. Gossman, from the same committee, submitted the following report :

MR. SPEAKER :

Your committee on county and township business to whom was referred Senate Bill No. 322, have had the same under consideration and the minority thereof direct me to recommend that it do pass.

Mr. Freeman moved that the minority report and bill be laid upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Johnson of Carroll and Lehman.

Those who voted in the affirmative were Messrs. Ashby, Baxter, Butler, Cary, Carr, Chawner, Claypool, Conley, Copeland, Crumacker, Dannettell, Foster of Monroe, Freeman, Harris, Harper, Highway, Hosmer, Hulet, Kimmell, Koontz, Lanham, Little, Mathews, Moorman, Paige, Perigo, Priest, Reno, Scott, Stewart, Swayzee, Thompson of Elkhart, Warrum, Welborn, Wells, Zimmerman and Mr. Speaker—37.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Askren, Benz, Bumgarner, Carlton, Collins, Cook, Cooley, Craft, Davis, Endsley, Foster of Allen, Fromm, Girton, Hall, Henderson, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Langdon, Leeper, Lehman, Madden, Marsh, Merriman, McCarty, McGaughey, Peelle, Sailors, Smith, Spencer, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan and Zehring—40.

So the motion to lay on the table did not prevail.

The question being upon the adoption of the minority report.

It was adopted, and the bill passed to a third reading.

By consent, Mr. Compton introduced House Bill No. 556, entitled, "A bill appropriating fifteen thousand dollars to defray the expenses of the special session of the General Assembly of the State of Indiana for the year 1877.

Which was read a first time.

Mr. Collins moved that the constitutional rule be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Hall, Harris, Harper, Hauss, Henderson, Highway, Hosmer, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Madden, Marsh, Matthews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead and Mr. Speaker—71.

Those who voted in the negative were Messrs. Benz, Branyan, Hulet, Johnson of Dearborn, Stewart, Thompson of Elkhart, Thomson of Miami, Yaryan, Zehring and Zimmerman—10.

So the constitutional rule was suspended, and the bill read a second time by title and a third time by sections.

By unanimous consent, Mr. Peelle moved the following amendment to the bill:

I move to amend by inserting after the word "clerk" in line 5, on page 3, the following: "doorkeepers."

Which was adopted.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Grubbs, Hall, Harris, Harper, Hauss, Henderson, Highway, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, mell, Koontz, Langdon, Lanham, Lehman, Little, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Smith, Spencer, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warren, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Benz, Branyan, Hulet, Scott, Stewart, Thomas and Yaryan—7.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Pending House bills on third reading, on motion by Mr. Scott, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

MARCH 8, 1877.

The House met with the Speaker in the chair.

Mr. Gossman was granted leave of absence.

On motion by Mr. Paige, the reading of the journal of yesterday's proceedings was dispensed with.

The order of business pending at adjournment was resumed.

Engrossed House Bill No. 487. A bill to amend section 16 of

an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws, approved March 12, 1875.

Was read a third time.

Mr. Hauss, by unanimous consent, moved the following amendment to the bill :

I move to amend the bill by inserting the following section :

Section 2. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Also, that the emergency clause be numbered section 3.

Which was adopted.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Conley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Monroe, Foster of Allen, Freeman, Fromm, Garver, Grubbs, Hall, Harris, Hatfield, Hauss, Highway, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Sailors, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—75.

Those who voted in the negative were Messrs. Cook and Cooley—2.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Perigo was granted leave to change his vote on House Bill No. 390.

Engrossed House Bill No. 394. A bill defining the crime of abortion, or attempted abortion, and prescribing the punishment therefor.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Baxter, Benz, Branyan, Bumgarner, Butler, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Conley,

Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Garver, Grubbs, Hall, Harris, Hatfield, Hauss, Highway, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Langdon, Lanham, Little, Lockhart, Madden, Mathews, Marsh, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Welborn, Wells, Whitehead, Yaryan, Zehring Zimmerman and Mr. Speaker—74.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 46. A bill to prevent domestic animals from running at large, and regulating the same.

Was read the third time.

Mr. Davis moved to lay the bill upon the table.

Which was not agreed to.

Mr. Paige moved to recommit the bill to the committee on rights and privileges with the following instructions:

MR. SPEAKER:

I move to recommit with instructions to amend by striking out all that refers to the prosecuting attorney.

Which on motion by Mr. Kennedy of Rush was laid upon the table.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Branyan, Bumgarner, Chawner, Conley, Craft, Elwell, Endsley, Foster of Monroe, Garver, Harris, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Little, Lockhart, Marsh, Mathews, Moorman, McGaughey, Peelle, Sailors, Scott, Smith, Swayzee, Wells, Zimmerman and Mr. Speaker—33.

Those who voted in the negative were Messrs. Albert, Askren, Baxter, Butler, Carlton, Carr, Claypool, Coffman, Collins, Cook, Copeland, Cooley, Dannettell, Davis, Foster of Allen, Freeman, Fromm, Girtón, Hall, Hatfield, Hauss, Henderson, Highway, Hosmer, Johnson of Carroll, Lanham, Madden, Merriman, McCarty, Oglebay, Paige, Perigo, Priest, Rea, Reno, Stewart, Thomas,

Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Welborn, Whitehead, Yaryan and Zehring—45.

So the bill was lost.

Engrossed House Bill No. 157. A bill regulating the continuance of criminal causes on account of the absence of evidence.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Rea, Reno, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—82.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 194. A bill to amend sections 3 and 4 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing 'an act to license dogs,'" approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "an act for the protection of sheep," approved June 15, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Copeland, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Foster of

Monroe, Freeman, Fromm, Garver, Grubbs, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Marsh, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—69.

Those who voted in the negative were Messrs. Ashby, Askren, Carr, Cook, Cooley, Elwell, Hubbard, Kennedy of Rush, Little, Mathews, Rea, Reno, Spencer, Warrum and Zehring—15.

So the bill passed.

The question being, shall the title as read stand?

Mr. Viehe moved the following amendment to the title:

I move to amend the title of this bill to read as follows: "A bill for an act to provide for the disposition of the surplus dog-tax in the hands of township trustees."

Which was adopted.

Engrossed House Bill No. 243. A bill to prevent extortionate and unjust charges for the transportation of passengers and freight by railroad corporations.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Chawner, Crumacker, Fromm, Hall, Henderson, Kennedy of Union, Kimmell, Koontz, McGaughey, Oglebay, Perigo, Reno, Smith, Whitehead, Wells and Warrum—16.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannett, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Garver, Girton, Grubbs, Harris, Hatfield, Houghton, Hauss, Harper, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, McCarty, Paige, Peelle, Rea, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson

of Elkhart, Thompson of Howard, Yaryan, Zehring, Zimmerman and Mr. Speaker—68.

So the bill was lost.

By consent, Mr. Hubbard, from the committee on fees and salaries, to which was recommended House Bill No. 489, entitled "A bill to amend sections 13 and 14 of an act entitled 'An act fixing the fees, salaries and duties of county officers,'" with the instructions of the House to amend the said bill as follows, to-wit: To amend section 1 as follows: Strike out the words "seven hundred and fifty," in line 4, and insert the words "one thousand," your committee have duly considered the bill, and I am directed to report it back, with the recommendation that the amendments be adopted and the bill do pass.

The report was concurred in.

The bill, so reported, being Engrossed House Bill No. 489, a bill to amend section 13 and 14 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875, and repealing all acts or part of acts coming in conflict with the provisions of this act.

Was, on motion of Mr. Foster, of Allen, laid upon the table.

Engrossed House Bill No. 269. A bill to amend section 18 of an act entitled "An act regulating decedents, and the apportionment of estates," approved May 14, 1852.

Was read the third time, and laid upon the table.

Engrossed House Bill No. 405. A bill to amend section 6 of an act entitled "An act to regulate and license the sale of spirituous, vinous and malt and other intoxicating liquors; to limit the license to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof, and declaring an emergency," approved March 17, 1875.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert,

Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Cole, Collins, Conley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Grubbs, Harris, Hatfield, Highway, Harper, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Moorman, McGaughey, Oglebay, Paige, Peelle, Perigo, Sailors, Scott, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Welborn, Whitehead, Wells, Zehring, Zimmerman and Mr. Speaker—59.

Those who voted in the negative were Messrs. Ashby, Askren, Chawner, Coffman, Compton, Cook, Cooley, Davis, Freeman, Fromm, Henderson, Johnson, of Dearborn, Kennedy of Rush, Lanham, Merriman, Rea, Reno, Smith, Spencer, Swayzee and Warrum—21.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

Engrossed House Bill No. 364. A bill to amend section 15 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Butler, Cary, Carr, Chawner, Claypool, Coffman, Cole, Conley, Cook, Copeland, Crumpacker, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Hall, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Little, Madden, Merriman, Perigo, Rea, Reno, Stewart, Swayzee, Thomas, Thompson of Howard, Whitehead, Wells, Warrum, Zering, Zimmerman and Mr. Speaker—48.

Those who voted in the negative were Messrs. Albert, Askren, Baxter, Benz, Branyan, Bumgarner, Carlton, Collins, Compton, Cooley, Dannettell, Davis, Garver, Girton, Grubbs, Hatfield, Hauss, Henderson, Harper, Hosmer, Langdon, Lockhart, Marsh, Mathews, McCarty, McGaughey, Oglebay, Paige, Peelle, Scott, Smith,

Spencer, Thompson of Elkhart, Thomson of Miami, Viehe, Welborn and Yaryan—37.

So the bill failed for want of constitutional majority.

Pending House bills on third reading, on motion by Mr. Scott, the House adjourned.

AFTERNOON SESSION,

THURSDAY, March 8, 1877.

Engrossed House Bill No. 444. A bill supplemental to an act entitled "An act respecting foreign corporations, and their agents in this State," approved June 17, 1852.

Was read a third time and laid upon the table.

Engrossed House Bill No. 213. A bill supplemental to an act entitled "An act authorizing the purchasers of plank roads, turnpike roads, and macadamized or gravel roads, or parts thereof, under mortgages or deed of trust, to organize as incorporated companies, and prescribing their powers and duties," approved March 5, 1859. To authorize such corporations, after having complied with the above provisions, to organize in accordance with the provisions of this act; the provision to extend to other chartered road corporations, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Austin, Baxter, Branyan, Butler, Chawner, Claypool, Coffman, Compton, Conley, Cooley, Copeland, Craft, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Harris, Hauss, Henderson, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Merriman, Moorman, McCarty, McGaughey, Peelle, Scott, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Wells, Whitehead and Zimmerman—48.

Those who voted in the negative were Messrs. Ashby, Askren Benz, Bumgarner, Carr, Collins, Cook, Dannettell, Davis, Foster of Allen, Hatfield, Hosmer, Hubbard, Marsh, Mathews, Paige, Perigo, Rea, Reno, Riley, Smith, Swayzee, Warrum, Welborn, Yaryan, Zehring and Mr. Speaker—27.

So the bill failed to pass for want of a constitutional majority.

Engrossed House Bill No. 450. A bill to amend sections 51 and 52 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Which was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Warum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—84.

Mr. Austin voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 399. A bill supplemental to an act providing for the redemption of real property or any interest therein sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith, approved June 4, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Conley, Cook, Cooley, Copeland, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of

Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Little, Lockhart, Madden, Marsh, Merriman, Moorman, Mathews, McCarty, McGaughey, Paige, Peelle, Perigo, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—80.

Those who voted in the negative were Messrs. Compton, Garver, Rea, Reno, Spencer, and Stewart—6.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 421. A bill concerning the recording of articles of association required to be filed and deposited in the office of the Secretary of State, and the authentication thereof, providing compensation therefor and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Collins, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Little, Lockhart, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Riley, Sailors, Scott, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Warrum, Wells, Whitehead, Yaryan, Zehring and Zimmerman—70.

Those who voted in the negative were Messrs. Foster of Allen, Harper, Marsh, Reno, Spencer, Swayzee and Mr. Speaker—7.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 385. A bill to repeal an act entitled "An act to authorize aid to the construction of railroads, by counties and townships taking stock in, and making donations to railroad companies," approved May 12, 1869, and the "act

supplementary thereto," approved January 30, 1873, and the act as amended, approved March 17, 1875.

Was read a third time.

Mr. Paige made the following motion :

MR. SPEAKER :

I move to re-commit the bill to the committee on railroads, with the following instructions :

. Amend by inserting the following :

Provided, That the provisions of this act shall not apply to roads which have been partially located, and to which one or more townships have voted aid under the provisions of existing law.

Mr. Compton moved to lay the motion to re-commit upon the table.

Upon which motion Messrs. Benz and Riley demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ashby, Bumgarner, Coffman, Collins, Craft, Grubbs, Hall, Harper, Hosmer, Koontz, Langdon, Madden, Marsh, McCarty, McGaughey, Rea, Reno, Riley, Scott, Stewart, Swayzee, Viehe, Yaryan and Zehring—26.

Those who voted in the negative were Messrs. Albert, Ames, Askren, Austin, Baxter, Benz, Butler, Cary, Chawner, Claypool, Cook, Copeland, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Harris, Hatfield, Hauss, Henderson, Highway, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy, Kimmell, Lanham, Lehman, Little, Lockhart Mathews, Moorman, Oglebay, Paige, Peelle, Perigo, Sailors, Smith, Thompson of Elkhart, Thompson of Howard, Warrum, Wells, Whitehead, Zimmerman and Mr. Speaker—51.

So the motion to lie upon the table did not prevail, and the motion to recommit was agreed to.

Engrossed House Bill No. 393. A bill providing that it shall be unlawful for turnpike companies to collect and receive toll in certain cases.

Was read a third time.

The question being, shall the bill pass ?

Mr. Paige moved to lay the bill upon the table.

Which was not agreed to.

Mr. Lehman moved the previous question.

Which was seconded by the House, and the main question ordered.

Those who voted in the affirmative were Messrs. Adams, Ashby, Austin, Baxter, Branyan, Butler, Cary, Carson, Chawner, Claypool, Cole, Conley, Cook, Copeland, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Gossman, Hall, Harris, Hatfield, Henderson, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Koontz, Lockhart, Mathews, Moorman, McCarty, McGaughey, Oglebay, Peelle, Reno, Scott, Sailors, Smith, Stewart, Swayzee, Thomas, Welborn, Wells, Zehring, Zimmerman and Mr. Speaker—50.

Those who voted in the negative were Messrs. Albert, Ames, Askren, Benz, Bumgarner, Carlton, Coffman, Collins, Compton, Cooley, Craft, Crumpacker, Dannettell, Davis, Freeman, Girton, Grubbs, Harper, Hauss, Johnson of Carroll, Kennedy of Union, Lanham, Lehman, Little, Madden, Marsh, Merriman, Paige, Perigo, Rea, Riley, Thompson of Elkhart, Viehe, Warrum, Whitehead and Yaryan—36.

So the bill failed for want of a constitutional majority.

The following communication, from the board of commissioners of Marion county, was laid before the House by the Speaker :

STATE OF INDIANA,
AUDITOR'S OFFICE MARION COUNTY,
INDIANAPOLIS, IND., March 7, 1877.

*To the Speaker of the House of Representatives
of the State of Indiana :*

In accordance with the order of the Board of Commissioners of Marion county and State of Indiana, I herewith transmit to you the following order of said Board, and request you to lay the same before the House of Representatives.

Very Respectfully,

W. K. SPROULE,
Auditor of Marion County.

STATE OF INDIANA, MARION COUNTY, ss :

COMMISSIONERS' COURT, March Term, 1877.

WHEREAS, In the opinion of this Board a great necessity exists for the building of a new State House by the State of Indiana, and

that immediate steps should be taken by the present General Assembly for the building of a new State House ;

AND WHEREAS, It is thought that some inconvenience may accrue by reason of the removal of the old building ;

Therefore it is ordered by the Board of Commissioners that the State of Indiana be and is hereby tendered two rooms in the new Court House, now being completed, for the Senate and House of Representatives free of charge to the State, and, in case this proposition is accepted by the State and steps taken for the building of a new State House, it is further ordered by the Board of Commissioners that said rooms, after being finished, be and are hereby placed at the disposal of and under the control of the General Assembly of the State of Indiana for the use of the two houses until such new State House has been completed.

It is further ordered that the Auditor send a certified copy of this order to the President of the Senate, and also a certified copy to the Speaker of the House of Representatives, with the request that the same be laid before the Senate and House of Representatives.

I, William K. Sproule, Auditor of said county, certify the foregoing to be an order of the Board of Commissioners, as shown by the records now on file in my office.

Witness my hand and official seal this 7th day of March, 1877.

WM. K. SPROULE,

Auditor of Marion County.

Mr. Cole demanded a vote upon House Bill No. 322, which had previously failed for want of a constitutional majority.

The question again being, shall the bill pass ?

Mr. Langdon moved to recommit the bill with specific instructions.

Which motion the Speaker ruled to be out of order under House Rule No. 63.

Messrs Langdon and Hulet appealed from the decision of the chair as follows :

We appeal from the decision of the Speaker in over-ruling the motion to recommit House Bill No. 322 to the committee on public buildings, with directions to strike from section 4 the matter in said motion contained, after said bill had been read a third time and put upon its passage and failed for want of a constitutional majority, and said bill being now called up again for a further vote thereon.

The question being, shall the decision of the chair stand as the judgment of the House.

The ayes and noes were demanded by Messrs. Johnson of Carroll and Foster of Allen.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Copeland, Craft, Crumpacker, Dannettell, Elwell, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, McCarty, McGaughey, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring and Zimmerman—79.

Those who voted in the negative were Messrs. Askren, Benz, Davis, Foster of Allen, Hall, Hulet, Langdon, Marsh, Stewart and Yaryan—10.

So the decision of the chair was sustained.

The question being again, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Cary, Carlton, Carson, Chawner, Claypool, Cole, Collins, Compton, Craft, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Harris, Hatfield, Henderson, Hosmer, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lehman, Lockhart, Madden, Moorman, McCarty, McGaughey, Paige, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thomson of Miami, Viehe, Wells and Mr. Speaker—48.

Those who voted in the negative were Messrs. Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Carr, Coffman, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Foster of Allen, Freeman, Hall, Harper, Hauss, Highway, Hulet, Johnson of Carroll, Johnson of Dearborn, Langdon, Lanham, Little, Marsh, Mathews, Merriman, Oglebay, Perigo, Rea, Reno, Spencer, Stewart, Thompson of Elkhart, Warrum, Welborn, Whitehead, Yaryan, Zehring and Zimmerman—44.

So the bill failed for want of a constitutional majority.

Engrossed House Bill No. 463. A bill concerning the organization of voluntary associations, defining their rights, powers and obligations, and legalizing the organization of voluntary associations heretofore made.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs Adams, Albert, Ashby, Askren, Austin, Branyan, Bumgarner, Cary, Chawner, Cole, Collins, Compton, Conley, Cooley, Copeland, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Garver, Girton, Grubbs, Hall, Hatfield, Hauss, Henderson, Highway, Johnson of Carroll, Kimmell, Lehman, Little, Lockhart, Marsh, Moorman, McGaughey, Oglebay, Peelle, Perigo, Reno, Riley, Sailors, Scott, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Warrum, Wells, Whitehead and Mr. Speaker—50.

Those who voted in the negative were Messrs. Baxter, Benz, Butler, Carlton, Coffman, Cook, Craft, Elwell, Freeman, Gossman, Harris, Hosmer, Hubbard, Koontz, Merriman, Rea, Smith, Thompson of Howard, Zehring and Zimmerman—20.

So the bill failed for want of a constitutional majority.

Mr. Wells moved to take House Bill No. 272 from the table and place it upon the files.

Which was agreed to.

Mr. Chawner moved that the House adjourn.

Which was not agreed to.

Engrossed House Bill No. 485. A bill authorizing the acquisition of Green River Island, or to locate the true boundary line at said island.

Was read the third time.

By unanimous consent Mr. Viehe offered the following amendment to the bill: Insert in line 7, page 3, of House Bill No. 485, between the words "Kentucky" and "as" the words "and the citizens of this State."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole,

Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Freeman, Fromm, Girton, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Lanham, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—79.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 321. A bill to punish the indiscriminate use of second-hand barrels for the purpose of packing family supplies in for sale or use, and defining the punishment therefor, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

On motion by Mr. Swayzee, the bill was laid upon the table.

Engrossed House Bill No. 160. A bill to amend sections 4 and 5 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of this act by officers and others," and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved June 18, 1852, and also to repeal section 3 of said act, approved March 2, 1865.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Foster of Monroe, Freeman, Fromm, Girton, Harper, Henderson, Highway, Hosmer, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Langdon, Lanham, Lehman, Little, Marsh, Mathews, Moorman, McCarty, Peelle, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe,

Warrum, Welborn, Wells, Whitehead, Zimmerman and Mr. Speaker—52.

Those who voted in the negative were Messrs. Adams, Ames, Askren, Carson, Claypool, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Garver, Gossman, Harris, Hauss, Hubbard, Johnson of Carroll, Kennedy of Union, Koontz, Lockhart, Madden, Merri- man, McGaughey, Oglebay, Paige, Perigo, Rea, Reno, Riley, Smith, Spencer, Thomson of Miami and Zehring—33.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Pending House bills on third reading, on motion, by Mr. Benz, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

FRIDAY MORNING,

MARCH 9, 1877.

The House met, with the Speaker in the chair.

On motion, by Mr. Mathews, the reading of the journal of yesterday's proceedings was dispensed with.

By consent, Mr. Mathews introduced House Bill No. 557. A bill to authorize the courts, in cases of partition of lands which are situate partly in the State of Indiana, and partly in any adjoining State, to appoint commissioners, to meet other commissioners appointed by the courts of such adjoining State, and divide such lands.

Which was read for the first time, and passed for a second reading on to-morrow.

The order of business was resumed.

HOUSE BILLS ON THIRD READING :

Engrossed House Bill No. 377. A bill prohibiting counties, townships and cities from taking stock in, or making donations to, railroad companies.

Was read a third time.

Mr. Paige moved to recommit the bill with the following instructions:

I move to recommit the bill to the committee on railroads, with instructions to insert the word "partially," after the word "been," in line 5 on page 3, in section 1; also to strike out all of section 1 after the word "tax" in line 8, page 3 of said section.

Which was agreed to.

Engrossed House Bill No. 376. A bill to prescribe certain powers and duties of county commissioners, township trustees, city councils and trustees of towns, in relation to elections; also prescribing certain powers and duties of inspectors and judges of elections, and penalties for frauds in the performance of their official duties, to prevent illegal and fraudulent voting; prescribing penalties for frauds in the performance of their official duties, to prevent illegal and fraudulent voting; prescribing penalties for the violation of this act, and repealing an act entitled, "An act repealing sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21 and 22 of an act entitled, 'an act to provide for the registry of voters and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for the services of such officers,' approved March 11, 1867, and prescribing further duties of the officers of elections, and providing for the appointment of the necessary officers and clerks for holding such elections," approved May 13, 1869.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Pelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart,

Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—85.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 144. A bill to amend an act entitled "An act to amend section 60 of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto,'" approved March 14, 1873, and adding a supplemental section thereto.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Garver, Grubbs, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—81.

No member voting in the negative.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following bills, to-wit:

Engrossed House Bill No. 191. A bill to amend sections 4, 6 and 7 of an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such court and for the compensation of such Reporter," approved March 13, 1875, and declaring an emergency.

And the same is respectfully returned to the House; also, with sundry amendments thereto.

Engrossed House Bill No. 554. A bill making specific appropriations and directing how they shall be paid.

And the same is respectfully submitted to the House for its concurrence in said amendments.

Mr. Garver called up Engrossed House Bill No. 463. A bill concerning the organization of voluntary associations, defining their rights, powers and obligations, and legalizing the organization of voluntary associations heretofore formed.

Which had previously failed for want of a constitutional majority.

The question again being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Moorman, Merriman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—82.

Mr. Butler voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 475. A bill to amend section 307 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration

of justice in a uniform mode of pleading and practice without distinction between law and equity, and to repeal sections 308, 309, 310, 313 and 314 of the above entitled act, and declaring an emergency.

Which was read the third time.

The question being, shall the bill pass?

Those voting in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Benz, Branyan, Bumgarner, Cary, Carlton, Carr, Coffman, Cole, Collins, Conley, Cooley, Copeland, Dannettell, Davis, Endsley, Girton, Henderson, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Koontz, Lanham, Leeper, Lehman, Lockhart, Mathews, Merriman, McCarty, McGaughey, Paige, Peelle, Priest, Rea, Riley, Scott, Smith, Spencer, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Whitehead, Yaryan, Zehring and Mr. Speaker—51.

Those who voted in the negative were Messrs. Baxter, Butler, Chawner, Claypool, Compton, Cook, Craft, Crumpacker, Elwell, Foster of Allen, Foster of Monroe, Fromm, Garver, Grubbs, Hauss, Houghton, Johnson of Dearborn, Kennedy of Union, Kimmell, Little, Madden, Oglebay, Perigo, Reno, Sailors, Stewart, Swayzee, Thomas, Thomson of Elkhart, Wells and Zimmerman—31.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

Mr. Carlton moved to suspend the order of business in order to permit the introduction of a resolution.

The question being, shall the rules be suspended?

Messrs. Carlton and Lehman demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Claypool, Coffman, Compton, Conley, Cook, Cooley, Crumpacker, Davis, Foster of Allen, Fromm, Girton, Hall, Harper, Hauss, Henderson, Hosmer, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Mathews, Merriman, McCarty, Paige, Perigo, Priest, Rea, Reno, Riley, Spencer, Stewart, Swayzee, Thomson of Elkhart, Viehe, Warrum, Welborn and Zehring—47.

Those who voted in the negative were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Monroe, Garver, Grubbs, Harris, Hatfield, Highway, Houghton, Hubbard,

Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Little, Lockhart, Moorman, McGaughey, Oglebay, Peelle, Sailors, Scott, Smith, Thomas, Thompson of Howard, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—46.

So the rules were not suspended.

House Bill No. 554 was taken up, together with the following engrossed Senate amendments thereto :

Engrossed Senate Amendments to House Bill No. 554 :

1. Amend by striking out all after the word "that," in line 10, of clause 1, of section 1, up to and including the word "commission" in line 13 clause 1 of section 1, and insert in lieu thereof the following: "The Governor shall appoint three discreet persons to settle and adjust the claims made against the State Prison South. They shall complete their work in thirty days, and shall proceed in such manner as shall be named in their order of appointment."

2. Amend by striking out all of lines 31, 32, 33, 34, 35, 36, 37 and 38 of clause 1, section 1, and insert in lieu thereof the following : "Actual expenses, and six dollars per day for time actually engaged on itemized claim approved by the Governor."

3. Amend by adding after the word "appropriation," line 39 of clause 1, section 1, the following: "That, the further sum of fifteen hundred dollars, or so much thereof as may be necessary, be and is hereby appropriated to pay the claims of one Maguire and one Schaub and one Livingston, to be considered by the commission as in the case of claims against the Southern Prison."

4. Amend by inserting after the word "sooner," in line 9 of clause 2 section 1, the following: "*Provided*, That no contract involving any expenditure of this appropriation shall be made without the advice and consent of the Governor of the State: *And Provided*, That before said money shall be expended or the contract let, the Board of Directors shall advertise for sealed proposals for one week in the two daily newspapers of Chicago, Cincinnati and Indianapolis, having the largest circulation, the last of which publication shall be twenty days before the letting of such contract. Said contract shall be let to the lowest responsible bidder, as a whole, or in portions as is deemed best for the interests of the State, and such contract shall be so made as to employ all laborers in the prisons of the State which can be made available, and in such way as to save to the State the

value of the work of such prisoners in the erection of such buildings, and shall be approved by the Governor."

5. Amend by adding to clause 2, section 1, as amended, the following: "That the sum of \$500 is hereby appropriated for the State Prison North, and the sum of \$500 for the State Prison South, for the specific purpose of purchasing books for the use of convicts therein."

6. Amend by striking out all of lines 19, 20, 21 and 22, of clause 3 section 1, and insert in lieu thereof the following: "That in all expenditures made the building shall, after it is roofed, be completed in sections, ready for use, as far as practicable, for the reception of patients; and no money shall be paid out for work or material, except on specific estimate made, stating fully the kind, quality and particular locality of the work estimated, or material to be paid for, with full names and such description, so that any other competent person can find and re-estimate the work; and such estimate shall be presented to and approved by the Superintendent and the Board of Trustees, or the President thereof, and be signed by the architect making such estimate."

7. Amend by adding after the word "means" in line 11 of clause 7, section 1, the following clause: "8. And the further sum of twenty-five hundred dollars is hereby appropriated for the purpose of building a hospital at the House of Refuge for Juvenile Offenders, near Plainfield, to be drawn out in the manner now provided by law, and which sum shall complete the building."

8. Amend by striking out all of clause 5, section 2, and substitute the following: "5. To Napoleon B. Taylor the sum of one thousand dollars, in full for all services rendered by him in behalf of the State up to date."

9. Amend by adding the following section, to-wit: Section 3. 1. That the following named persons be allowed the several sums in this section hereafter set forth, for services in guarding prisoners transferred for protection, by order of the Governor, from the Orange county jail to the Floyd county jail: William A. Hale, the sum of one hundred and thirty dollars; Theodore Marsh, two hundred and thirty dollars; Joseph Spellman, two hundred dollars: Thomas P. Moore, one hundred and seventy-six dollars; Benjamin F. Tully, thirty-eight dollars; John L. Raverty, one hundred dollars; James Carpenter, one hundred and thirty dollars; Thomas Smithwick, eighty-four dollars; Joseph Lancaster, forty-two dollars; and such sums shall be paid upon a

properly certified certificate, establishing the identity of the parties herein named.

2. That John B. Firestone be allowed the sum of one hundred and fifty dollars, expense incurred in contesting seat of Walter Olds.

3. That John H. Bones be allowed the sum of eighteen dollars, copying records for Senate prison committee.

4. That Thomas A. E. Campbell be allowed the sum of three hundred dollars, as reimbursement for money paid the Michigan road lands, to which the State never perfected title.

5. That John R. Shadburn be allowed the sum of fifty-eight dollars, as Clerk and Sergeant-at-Arms of prison investigating committee.

6. That Speigel, Thoms & Co. be allowed the sum of thirty dollars for chairs furnished Senate.

7. That the Secretary of the Grand Lodge of F. and A. Masons be allowed the sum of nine dollars and eighty-five cents, for gas furnished committee rooms.

8. That Henry Fromeyer be allowed the sum of nine dollars and fifty cents, for spittoons and articles furnished the Senate.

9. That C. Kindler be allowed the sum of thirty-eight dollars and fifty cents, for locksmith work furnished the Senate.

10. That John R. Marot be allowed the sum of twenty-two dollars, for rent of furniture furnished Senate committee rooms.

11. To J. B. Cleaveland & Co., for rent of committee rooms in Masonic Temple and Music Hall, four hundred dollars.

12. That A. Keifer be allowed the sum of thirty-one dollars and eighty cents, for brooms, brushes and articles furnished the Senate.

13. That J. C. Dunn be allowed three dollars, for gas fixtures for Senate.

14. That L. S. Ayers & Co. be allowed the sum of thirty-eight dollars and seventy-five cents for mourning drapery.

15. That John Herdlum be allowed the sum of eight dollars and ninety cents for repairing furniture of Senate Chamber.

16. That the State Normal School at Terre Haute be allowed the sum of one thousand dollars for building fence and repairs to library.

17. That William H. Drapier be allowed the sum of five hundred dollars for Brevier Reports of the General Assembly of the session of 1875, which amount shall be in full of claim of such Reports.

18. That George Z. Sanford be allowed for his mileage to and

from Crown Point and Knightstown, as trustee of Soldiers' Orphans' Home, the sum of two hundred and forty dollars.

19. That there be allowed to Benton county the sum of one thousand dollars for extraordinary expenditures occasioned said county in the prosecution and conviction of James L. McCullough, and that said money so allowed for such purpose shall be paid into the treasury of Benton county through the treasurer of said county.

20. That Peter Oskar be allowed the sum of one hundred and ten dollars for money paid the State of Indiana for the northwest quarter of the northeast quarter section 26, township 6, north of range 4 east—forty acres—in Jackson county, Indiana, and to which Peter Oskar never received title from the State.

21. That the sum of one hundred dollars be allowed B. F. Havens as pay for the insurance on the State Normal School.

Mr. Adams moved that the House concur in the amendments.

Mr. Carlton moved the previous question.

Which was not seconded by the House.

Mr. Scott demanded a division of the question, and the amendments were considered *seriatim*.

The first amendment was read and concurred in.

The second amendment to the bill was read and concurred in.

The third amendment to the bill was read and concurred in.

The fourth amendment to the bill was read and concurred in.

The fifth amendment to the bill was read and concurred in.

The sixth amendment to the bill was read and concurred in.

The seventh amendment was read and concurred in.

The eighth amendment was read and concurred in.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, twelfth, thirteenth, fourteenth, fifteenth and sixteenth clauses of the ninth amendment were separately read and concurred in.

The eleventh clause of the ninth amendment was amended by inserting the word "Senate" before the words "committee rooms," and, as amended, concurred in.

The seventeenth clause of the ninth amendment was read.

The question being on concurring therein, Messrs. Marsh and Harper demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Bumgarner, Carlton, Coffman, Cole, Foster of Monroe, Fromm, Hatfield, Henderson, Kennedy of Rush, Langdon, Lanham, Mathews, Spencer and Viehe—17.

Those who voted in the negative were Messrs. Ames, Ashby, Baxter, Benz, Branyan, Butler, Cary, Carr, Carson, Chawner, Claypool, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Garver, Girton, Grubbs, Harris, Harper, Hauss, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Little, Lockhart, Madden, Marsh, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—72.

So the seventeenth clause, being the clause allowing payment for the "Brevier Reports," was not concurred in.

The eighteenth clause was read and concurred in.

The 19th clause was read, and the question being upon concurring therein.

Messrs. Garver and Hauss demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Compton, Conley, Copeland, Davis, Elwell, Foster of Monroe, Fromm, Grubbs, Hall, Harris Harper, Hatfield, Henderson, Hosmer, Koontz, Langdon, Lanham, Little, Madden, Marsh, Merriman, Oglebay, Paige, Peelle, Priest, Spencer, Stewart, Thomson of Miami, Viehe, Warrum, Wells and Mr. Speaker—44.

Those who voted in the negative were Messrs. Askren, Austin, Baxter, Branyan, Carson, Claypool, Cook, Cooley, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Garver, Girton, Hauss, Highway, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lockhart, Mathews, Moorman, McCarty, McGaughey, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Welborn, Whitehead, Yaryan, Zehring and Zimmerman—46.

So clause 19 of section 9, being that clause allowing the county of Benton \$1,000 on account of expenses of the McCullough murder trial, was not concurred in.

Pending the further consideration of the amendments, on motion by Mr. Scott, the House adjourned.

AFTERNOON SESSION,

FRIDAY, MARCH 9, 1877.

The House met, with the Speaker in the chair.

Consideration of the Senate amendments to House Bill No. 554, was resumed.

The twentieth and twenty-first amendments were concurred in.

Mr. Craft moved that the vote non-concurring in clause nineteen of amendment nine be reconsidered.

Which was agreed to.

The question recurring upon concurring in clause 19.

Messrs. Moorman and Austin demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Conley, Copeland, Crumpacker, Elwell, Foster of Monroe, Freeman, Gossman, Grubbs, Hall, Harris, Harper, Hatfield, Henderson, Hosmer, Kennedy of Rush, Langdon, Lanham, Lehman, Little, Marsh, Merriman, McGaughey, Oglebay, Paige, Peelle, Spencer, Stewart, Thompson of Howard, Thomson of Miami, Warrum, Wells, Whitehead and Mr. Speaker—46.

Those who voted in the negative were Messrs. Albert, Askren, Austin, Baxter, Branyan, Carson, Claypool, Compton, Cook, Craft, Dannettell, Davis, Endsley, Foster of Allen, Fromm, Girton, Hauss, Highway, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Leeper, Lockhart, Mathews, Moorman, McCarty, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Viehe, Welborn, Yaryan, Zehring and Zimmerman—46.

So the clause was not concurred in.

All the amendments having been considered, the Principal Clerk was directed to at once inform the Senate thereof.

Engrossed House Bill No. 481. A bill describing the powers, duties and salary of the State Librarian, and the number, duties and salary of his assistants, and other matters pertaining to economical management of State Library and expenses of State House and grounds, and repealing laws and parts of laws in conflict therewith, and declaring an emergency.

Was read the third time, and, on Mr. Peelle's motion, was laid upon the table.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed, with certain amendments, the following bill, to-wit:

Engrossed House Bill No. 555. A bill making appropriations for the expenses of the State Government and its institutions, directing the objects to which such appropriations shall be applied, etc.

And the same is respectfully submitted to the House for its concurrence therein.

Engrossed House Bill No. 143. A bill to amend section 3 and the title of an act entitled "An act fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery," and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Was read a third time and laid upon the table.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the action of the House upon Senate amendments to House Bill No. 554, "A bill making specific appropriations and directing how they shall be paid," as follows to-wit: Strike out all of clauses 17 and 19 of section 3, added by the Senate. Strike out clause 11 of section 3, added by the Senate, and insert in lieu thereof the following: "11. To J. B. Cleaveland & Co., four hundred dollars for rent of committee rooms for Senate in Masonic Temple and Music Hall," and the same is herewith returned to the House.

Engrossed House Bill No. 499. A bill to enable the Superintendent of Public Instruction, and Auditor of Spencer county to reopen the account between Spencer county and the State, for the purpose of correcting errors in the principal of the school funds held in trust by Spencer county.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring and Zimmerman—86.

Those who voted in the negative were Messrs. Crumpacker and Mr. Speaker—2.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 535. A bill concerning the purchase of stationery, and defining the duties of certain officers in connection therewith.

Was read a third time, and, on motion by Mr. Gossman, the bill was laid on the table.

Engaossed House Bill No. 412. A bill to legalize the incorporation of the town of Huntington, Huntington county, Indiana, as a city, and to legalize each and every official act of the Board of Trustees of said town, and the official acts of the Common Council of the city of Huntington, and all other acts of each and every officer of such town or city, whether done before or after the citizens of said town had voted in favor of incorporating.

Was read a third time.

Mr. Grubbs moved the previous question.

Which was seconded by the House, and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Baxter, Butler, Cary, Carlton, Carson, Chawner, Claypool, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Garver, Grubbs, Harris, Harper, Henderson,

Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Little, Lockhart, Mathews, Moorman, McGaughey, Paige, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Wells, Zimmerman and Mr. Speaker—50.

Those who voted in the negative were Messrs. Albert, Askren, Benz, Branyan, Coffman, Collins, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Freeman, Fromm, Gossman, Hatfield, Hauss, Hosmer, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Madden, Marsh, Merriman, McCarty, Perigo, Rea, Reno, Spencer, Stewart, Whitehead, Yaryan and Zehring—36.

So the bill failed for want of a constitutional majority.

House Bill No. 555 was taken up, together with the following Senate engrossed amendments thereto:

Engrossed Senate amendments to House Bill No. 555 :

Amend by striking out the words "twelve hundred and fifty dollars," in lines 12 and 13 of clause 2, section 2, and insert in lieu thereof, the following: "One thousand six hundred dollars, out of which the Secretary of State shall be paid two hundred and fifty dollars for superintending the printing, binding and distribution of the acts, Senate and House journals.

Amend by inserting after the word "dollars," in line 10 of clause 7, of section 2, the following: "For expressage, postage and incidental expenses, three hundred dollars."

Amend by striking out the word "association," in line 19 of clause 10 of section 2, and insert in lieu thereof the word "society."

Amend by adding after the words "current expenses" in lines 34 and 35 of clause 11, section 2, the words "and repairs."

Amend by striking out the words "thirteen thousand and five dollars" in lines 9 and 10 of clause 12 of section 2, and insert in lieu thereof the following: "eighteen thousand dollars for ten months."

Amend by striking out the figures "\$403.50" in line 27 of clause 13 of section 2.

Amend by striking out the words "twelve hundred and fifty" in lines 10 and 11 of clause 2 of section 4, and insert in lieu thereof the words "nine hundred."

Amend by striking out the words "twenty-five hundred" in lines

4 and 5 of clause 3 of section 4, and insert in lieu thereof the words "three thousand."

Amend by striking out the words "five hundred" in line 5 of clause 3 of section 4, and insert in lieu thereof the words "one thousand."

Amend by striking out the words "five thousand" in line 8 of clause 10 of section 4, and insert in lieu thereof the words "three thousand."

Amend by striking out the word "association" in line 12 of clause 10 of section 4, and insert in lieu thereof the word "society."

Amend by inserting after the words "current expenses" in line 41 of clause 11 of section 4, the words "and repairs."

Amend by inserting after the word "dollars" in line 19 of clause 13, section 4, the following: "Which shall include expenses."

Amend by adding to section 6 the following:

"Provided, That nothing in this act contained shall be so construed as to repeal any statute now in force making an annual appropriation to any of the educational or State institutions, but the several amounts hereby appropriated to such institutions shall be in lieu of the amounts appropriated to said institutions by statute for the time herein specified.

Amend by striking out the 11th clause of the new section, 3, and insert the following:

"11. That J. B. Cleveland & Co., be allowed the sum of four hundred dollars for rent of committee rooms for the Senate in Masonic Temple and Masonic Hall."

On Mr. Peelle's motion the House concurred in the amendments.

Engrossed House Bill No. 289. A bill to legalize Sheriffs', guardians' and administrators' sales.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Gossman, Grubbs, Harper, Hatfield, Hauss, Henderson, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Lanham, Leeper, Little, Madden, Marsh, Mathews, Merriman, Moorman, McCarty, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami,

Viehe, Warrum, Welborn, Wells, Whitehead, Zimmerman and Mr. Speaker—67.

Mr. Crumpacker voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Leeper was granted leave to withdraw House Bills Nos. 456 and 49 from the files.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 556. A bill appropriating fifteen thousand dollars to defray the expenses of the special session of the General Assembly of the State of Indiana for the year 1877.

Engrossed House Bill No. 115. A bill to repeal an act to ascertain the location of the boundary line between the States of Indiana and Kentucky, above and near Evansville, and making the same evidence in any dispute, and declaring an emergency, and to declare void the survey, and other acts of commissioners provided for by said act; and the same is respectfully returned to the House.

I am also directed to inform the House that the Senate has adopted the following concurrent resolution, to-wit :

Resolved by the Senate, the House concurring, That the special session of the Fiftieth General Assembly of the State of Indiana, do adjourn on Monday, the 12th day of March, 1877, at 12 o'clock, noon.

And the same is respectfully submitted to the House, requesting its concurrence therein.

By consent, Mr. Craft introduced House Joint Resolution No. 27. A joint resolution creating a commission to examine the claims of Frank P. Ainsworth, late Superintendent of the House of Refuge, against the Board of Control of said institution, or the State of Indiana, and providing for the payment of any amount found due, and matters connected therewith.

Which was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert,

Ashby, Askren, Austin, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Moorman, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Warrum, Welborn, Whitehead, Zehring, and Zimmerman—75.

Those who voted in the negative were Messrs. Compton and Priest—2.

So the joint resolution passed.

The question being, shall the title as read stand?

It was so ordered.

By consent Mr. Peelle offered the following resolution:

Resolved by the House of Representatives, the Senate concurring, That the two Houses of the General Assembly, will adjourn *sine die* on Monday, March 12, 1877.

Resolved, further, That the Clerk of the House and Secretary of the Senate inform the Governor of the passage of the above resolution, and to ask him if he has any further communication to transmit to the General Assembly.

Which was adopted.

By consent Mr. Carr offered the following resolution:

WHEREAS, About one week ago this House passed a resolution asking the Secretary of State to transmit to this House, a statement of the amount of stationery, in value, drawn by the Clerk and Assistant Clerk of this House, during the late regular session, and at the session of two years ago.

AND WHEREAS, Said Secretary of State has failed to furnish the House with the information asked for, nor in any way responded to the resolution of the House; therefore,

Resolved, That said Secretary of State be again respectfully asked to furnish this House with said information.

Which was adopted.

By consent, Mr. Riley offered the following resolution:

WHEREAS, The doorkeeper has informed a member of this

House that he has the receipts given by members for the Revised Statutes; therefore

Resolved, That he be instructed to file the same with the State Librarian, and that said Librarian is hereby instructed to surrender to said members of the House, said receipts, when the members shall return to him the statutes above named.

Which was adopted.

By consent, Mr. Foster of Allen, offered the following resolution:

Resolved, That the Secretary of State be authorized to furnish each member of the House of Representatives one copy of the acts of the regular and special sessions of this General Assembly; also, one copy of the House and Senate Journals, as soon as the same are printed and bound.

Which was adopted.

Mr. Peelle called up his motion to reconsider the vote by which House Bill No. 466 was rejected.

The motion to reconsider was agreed to.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed House Bill No. 53. A bill authorizing the appointment of students to Purdue University by the board of commissioners of each county, and to provide for the admittance of each scholar and defining their privileges therein.

Engrossed House Bill No. 70. A bill to legalize the elections held in the year 1875, in the town of Eaton, Delaware county, Indiana, and to legalize the official acts of the Board of Trustees of said town for said year, etc.

House Bill No. 41. A bill to declare the effect of the repeal of statutes.

Engrossed House Bill No. 75. A bill limiting the eligibility to the office of township trustees.

With an amendment.

Engrossed House Bill No. 88. A bill to amend section 2 of "An act concerning enclosures, trespassing animals and partition fences," approved June 4, 1852.

And the same is respectfully returned to the House for its concurrence in said amendment.

And the same are herewith returned to the House.

Engrossed House Bill No. 465. A bill to authorize and encourage the enclosure of land subject to overflow, by incorporated associations, and providing for the organization of such associations, and prescribing their powers, and providing for the assessment and apportionment of the cost of such improvements and expenses attending the same, upon the lands improved and used for the purpose of cultivation, inclosed thereby; and for the collection of such assessments and prescribing the penalties for breaking or throwing down such fences, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Pending which the Speaker ordered a call of the roll of the House.

Those answering under the call were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Matthews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—90.

By consent, further proceedings under the call were dispensed with.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames, Baxter, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Hall, Harris, Harper, Hatfield, Hauss, Hosmer, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Lanham, Leeper, Lehman, Lockhart, Mathews, Merriman, Peelle,

Perigo, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead and Zimmerman—56.

Those who voted in the negative were Messrs. Adams, Ashby Austin, Benz, Bumgarner, Collins, Compton, Crumpacker, Davis, Girton, Grubbs, Henderson, Highway, Johnson of Carroll, Langdon, Madden, Marsh, Mocman, McCarty, McGaughey, Oglebay, Paige, Priest, Rea, Reno, Riley, Spencer, Thomson of Miami, Yaryan and Mr. Speaker—30.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

By consent Mr. Lanham, from the select committee on the part of the House, appointed to draft resolutions of respect on the death, of Mr. Morrison, submitted the following :

WHEREAS, A benign but mysterious Providence has suddenly removed from our midst our beloved fellow-Representative, Dr. A. A. Morrison ; and

WHEREAS, It is becoming that the members of this House should express this regard for the deceased and their sympathy for his afflicted family ; therefore,

Resolved, That in the death of Dr. Morrison, this House has lost a useful member, and society one of its highest ornaments.

Resolved, That we tender our warmest sympathies to the bereaved family, and commend them to Him who alone can heal their sorrows and wipe away their tears.

Resolved, That the Auditor of State be authorized to draw his warrant upon the Treasurer of State in favor of the wife of the deceased for his per diem and mileage, for the regular session of 1877, and that the Treasurer of State be authorized to pay said per diem and mileage out of the State Treasury.

Resolved, That the wife of Dr. Morrison shall be allowed to draw the same per diem for this special session, allowed to other members, and that the Auditor and Treasurer of State be authorized to allow said per diem.

Resolved, That these resolutions be spread upon the journal, and that the Clerk be directed to present a copy of the same to the family of the deceased.

The resolutions were adopted.

Mr. Lehman called for a vote on House Bill No. 322, which had previously failed for want of a constitutional majority.

The question again being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Claypool, Cole, Collins, Compton, Craft, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Harris, Hatfield, Henderson, Hosmer, Houghton, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Leeper, Lehman, Lockhart, Madden, Merriman, Moorman, McCarty, McGaughey, Paige, Peelle, Priest, Riley, Sailors, Smith, Spencer, Swayzee, Thomas, Thomson of Miami, Viehe, Wells and Mr. Speaker—53.

Those who voted in the negative were Messrs. Ashby, Askren, Baxter, Benz, Branyan, Butler, Coffman, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Foster of Allen, Freeman, Hall, Harper, Hauss, Highway, Johnson of Carroll, Johnson of Dearborn, Langdon, Lanham, Little, Marsh, Mathews, Oglebay, Perigo, Rea, Reno, Stewart, Thompson of Elkhart, Thompson of Howard, Warrum, Welborn, Whitehead, Yaryan Zehring and Zimmerman—40.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following bill, to-wit :

Engrossed Senate Bill 331. An act to establish a Superior Court in the county of Wayne, defining its jurisdiction, providing for the election and compensation of the judge thereof, etc.

And the same is respectfully submitted to the House for its action thereon.

I am also directed to inform the House that the Senate has concurred in the House resolution, fixing the day of adjournment of the special session of the Fiftieth General Assembly, and instructing the Clerk of the House and Secretary of the Senate to inform the Governor of the passage of such resolution.

Mr. Carlton moved to reconsider the vote on House Bill No. 322.

Mr. Carlton moved to lay the motion to reconsider upon the table.

Which was agreed to.

Mr. Branyan moved that the House do now adjourn.

Which was not agreed to.

Mr. Cole called for a vote on House Bill No. 412, which had previously failed for want of a constitutional majority.

The question again being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Baxter, Butler, Carlton, Carr, Cary, Carson, Chawner, Claypool, Cole, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Harris, Harper, Henderson, Highway, Houghton, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Little, Lockhart, Mathews, Moorman, McGaughey, Paige, Peelle, Riley, Sailors, Smith, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Zimmerman and Mr. Speaker—53.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Benz, Branyan, Coffman, Compton, Conley, Cook, Cooley, Davis, Foster of Allen, Fromm, Gossman, Hatfield, Hauss, Hosmer, Hulet, Johuson of Carroll, Johnson of Dearborn, Leeper, Lehman, Marsh McCarty, Perigo, Rea, Reno, Spencer, Stewart, Swayzee, Welborn, Yaryan and Zering—34.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Leave of absence was granted Mr. Hubbard for to-morrow.

SENATE BILLS ON SECOND READING.

Engrossed House Bill No. 318 was read a second time and ordered to a third reading on to-morrow.

Engrossed Senate Bill No. 227 was read a second time and ordered to a third reading on to-morrow.

Senate Bill No. 331. A bill to establish a Superior Court in the county of Wayne, defining its jurisdiction, and providing for the election and compensation of the judge thereof.

Was read the first time.

Mr. Peelle moved that the constitutional rule be suspended, the

bill read a second time by title, and referred to the committee on organization of courts.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Hall, Harper, Hatfield, Hauss, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Moorman, Paige, Peelle, Perigo, Rea, Riley, Sailors, Smith, Swazee, Thomas, Thompson of Elkhart, Thompson of Howard, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—67.

Those who voted in the negative were Messrs. Carson, Henderson, Marsh, Reno and Stewart—5.

So the constitutional rule was suspended, the bill read a second time by title, and referred to the committee on organization of courts.

Senate Bills Nos. 99 and 93 were ordered to be taken from the table and placed upon the calendar.

Pending House bills on third reading, on motion by Mr. Mathews, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

SATURDAY MORNING,

MARCH 10, 1877.

The House met with the Speaker in the chair.

On motion of Mr. Moorman, the reading of the journal of yesterday's proceedings was dispensed with.

The following bills were reported back from various committees, and ordered to be placed on the files, viz :

Senate Bills Nos. 96, 18 and 76. House Bills Nos. 427, 312, 515, 511, 547, 527, 516, 498, 543, 505, 508, 361, 537, 533, 521, 519, 546, 501, 509, 59, 7, 219, 528, 526, 461 and 460.

By consent Mr. Grubbs, from the committee on judiciary, submitted the following report:

MR. SPEAKER:

Your committee on judiciary, to which was referred House Bill No. 525, entitled, "An act defining certain felonies, providing punishment therefor, and to simplify and abridge the rules, practice, pleadings and forms in the courts of this State, have had the same under consideration, and I am directed to report it back with the following recommendation, viz:

That it be amended by striking out section 2.

That it be further amended by striking out the words "or misdemeanors" wherever they occur in section 3; and that when said bill be so amended it do pass.

The report was concurred in and the bill, as amended, ordered to be engrossed.

The following Senate amendments to House Bill No. 88 were taken up and concurred in by the House:

Engrossed Senate amendments to House Bill No. 88.

Amend by striking out in section 1 all after the word "act," in line 4, to the word "be," in line 12.

Mr. Craft was granted leave to withdraw House Bill No. 48 from the files, also to Mr. Smith to withdraw the petition of W. Hagey.

Engrossed Senate Bill No. 119. A bill to amend section 203 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.

Was read a third time.

The Speaker ordered a call of the roll of the House.

Those who responded to the roll were Messrs. Adams, Ames, Albert, Askren, Baxter, Benz, Bumgarner, Butler, Carr, Cary, Chawner, Claypool, Coffman, Collins, Compton, Cook, Cooley, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Guthrie, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Riley, Smith, Stewart, Swayzee, Thompson of

Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—71.

By consent, further proceedings under the call were dispensed with.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Benz, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Craft, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harper, Hatfield, Hauss, Henderson, Hosmer, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Langdon, Lanham, Lehman, Little, Lockhart, Madden, Mathews, Merriman, McCarty, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—70.

Those who voted in the negative were Messrs. Crumpacker and Reno—2.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

Engrossed Senate Bill No. 318. A bill relating to congressional township school lands, and the funds arising therefrom, in cases where townships are divided by county lines, providing for distribution of proceeds thereof, prescribing the duties of county auditors and other officers relating thereto, fixing compensation of of auditors and other matters connected with the subject matter of the act, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Bumgarner, Butler, Carr, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cooley, Copeland, Dannettell, Endsley, Foster of Monroe, Freeman, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Johnson of Dearborn, Kennedy of Union, Kimmell, Lanham, Lehman, Little, Lockhart, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Peelle, Priest, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Wells, Whitehead, Zehring and Zimmerman—59.

Those who voted in the negative were Messrs. Benz, Cary, Cook, Foster of Allen, Fromm, Garver, Harper, Rea, Reno, Warrum and Mr. Speaker—11.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed Senate Bill No. 99. A bill to amend section 57 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852.

Was read the third time.

By unanimous consent the following amendment was agreed to: Amend in line 10, after the word conviction, by inserting the words "shall stand committed."

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Cook, Cooley, Copeland, Crumpacker, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Rea, Riley, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Zimmerman and Mr. Speaker—80.

Mr. Reno voting in the negative.

So the bill passed.

The question being, shall the title stand as read?

It was so ordered.

Engrossed Senate Bill No. 227. A bill to amend section 22 of an act entitled "An act concerning enclosures, trespassing animals and partition fences," approved June 4, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Baxter, Chawner, Collins, Copeland, Craft, Elwell, Foster

of Monroe, Garver, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Johnson of Carroll, Kennedy of Rush, Lehman, Mathews and Yaryan—23.

Those who voted in the negative were Messrs. Askren, Benz, Bumgarner, Butler, Claypool, Coffman, Conley, Cook, Cooley, Crumpacker, Dannettell, Davis, Foster of Allen, Freeman, Fromm, Girton, Gossman, Grubbs, Harper, Hosmer, Houghton, Hulet, Johnson of Dearborn, Kennedy of Union, Langdon, Lanham, Leeper, Little, Marsh, Merriman, Moorman, McCarty, Perigo, Rea, Reno, Riley, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Welborn, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—50.

So the bill was lost.

Engrossed Senate Bill No. 93. A bill to establish a State Board of Health, to provide a superintendent of vital statistics, prescribing certain duties of local boards, etc.

Was read a third time, and, on Mr. Moorman's motion, laid upon the table.

Engrossed Senate Bill No. 322. A bill to legalize a contract heretofore made and entered into on the 28th day of June, 1875, by and between the board of county commissioners of Porter county, Indiana, and Henry B. Brown, and declaring an emergency.

Was read the third time.

Mr. Carlton moved the previous question, which was seconded by the House, and the main question ordered, being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Benz, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Cole, Collins, Compton, Conley, Cook, Cooley, Craft, Davis, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gosmann, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Langdon, Leeper, Lehman, Lockhart, Madden, Marsh, Matthews, Merriman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Priest, Spencer, Stewart, Thomson of Miami, Viehe, Warrum, Whitehead, Yaryan and Mr. Speaker—64.

Those who voted in the negative were Messrs. Baxter, Butler, Claypool, Coffman, Copeland, Crumpacker, Dannettell, Elwell,

Freeman, Grubbs, Highway, Hosmer, Houghton, Kimmell, Latham, Little, Moorman, Rea, Reno, Sailors, Scott, Smith, Swayzee, Thompson of Elkhart, Thompson of Howard, Welborn, Wells, Zehring and Zimmerman—29.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

By consent, Mr. Collins, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on the organization of courts, to which was referred Senate Bill No. 331, have had the same under consideration, and the committee have directed me to report the same back to the House, with the recommendation that the same do pass.

The report was concurred in, and

Senate Bill No. 331, "A bill to establish a Superior Court in the county of Wayne, defining its jurisdiction, and providing for the election and compensation of judge thereof."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Benz, Branyan, Bumgarner, Butler, Carey, Carlton, Chawner, Cole, Collins, Compton, Conley, Cooley, Cope-land, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Girtou, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Union, Lehman, Mathews, Moorman, McCarty, McGaughey, Paige, Peelle, Perigo, Spencer, Thompson of Elkhart, Thomson of Miami, Viehe, Warrum, Welborn, Wells, Whitehead and Mr. Speaker—56.

Those who voted in the negative were Messrs. Askren, Baxter, Carr, Carson, Claypool, Coffman, Freeman, Fromm, Garver, Harper, Henderson, Hulet, Johnson of Dearborn, Kennedy of Rush, Kimmell, Leeper, Little, Lockhart, Marsh, Merriman, Priest, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Howard, Yaryan, Zehring and Zimmerman—34.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 279. A bill to amend section 54 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts of common pleas, transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873.

And the same is respectfully returned to the House.

Engrossed Senate Bill No. 267. A bill to amend sections 3, 4 and 6 of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations, and repealing the laws on that subject," approved March 5, 1857, and March 7, 1873, and legalizing all such associations now in existence, approved March 11, 1873.

Also, that the Senate has concurred in House amendment to Engrossed Senate Bill No. 99.

And the same is respectfully submitted to the House of Representatives for its action thereon.

By consent, House Bill No. 483. A bill defining vagrancy, providing punishment therefor, and declaring an emergency.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carson, Chawner, Coffman, Cook, Copeland, Craft, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, McGaughey, Peelle, Perigo, Priest, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Yaryan, Zehring, Zimmerman and Mr. Speaker—63.

Those who voted in the negative were Messrs. Ashby, Carlton,

Carr, Conley, Fromm, Johnson of Dearborn, Marsh, Oglebay, Rea, Reno, Spencer, Stewart, Viehe and Warrum—14.

So the bill passed.

The question being, shall the title of the bill stand as read?

By consent, the words "and declaring an emergency" were stricken therefrom.

Engrossed House Bill No. 155. A bill to provide for a uniform assessment of property, and for the levy, collection and return of taxes thereon in incorporated towns in this State, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carr, Chawner, Claypool, Coffman, Cole, Compton, Conley, Cook, Dannettell, Elwell, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Lanham, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Peelle, Priest, Sailors, Scott, Spencer, Swayzee, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Zimmerman and Mr. Speaker—57.

Those who voted in the negative were Messrs. Askren, Foster of Allen, Girton, Gossman, Hosmer, Houghton, Oglebay, Rea, Riley, Stewart and Thomas—11.

So the bill passed.

The question being, shall the title as read stand?

By consent, the words "and declaring an emergency" were stricken therefrom.

The joint committee on enrolled bills, submitted the following report:

MR. SPEAKER:

Your committee on enrolled bills respectfully report that we have compared the enrolled bills with the engrossed bills, and find the latter correctly enrolled in the following enrolled acts of the House of Representatives, to-wit: Nos. 554, 88, 555, 53, 115, 41, 75, 70, 191 and 556.

Pending House bills on third reading, the House on motion by Mr. Benz adjourned.

AFTERNOON SESSION,

SATURDAY, March, 10, 1877.

The House met, with the Speaker in the chair.

Engrossed House Bill No. 484. A bill to legalize the incorporation of the town of Waterloo, DeKalb county, Indiana, and the several additions thereto, and the official acts of the several Boards of Trustees of said corporation, defining their powers, providing for the election of officers thereof, and declaring their duties, approved June 11, 1852, and by-laws, ordinances, rules, regulations and proceedings adopted in pursuance thereof.

Was laid on the table.

By consent, Mr. Hauss offered the following resolution :

Resolved, That the Franklin Life Insurance Company be allowed the additional sum of twenty dollars, for rent of rooms for enrolling clerks from March 5, 1877, to the end of the present session, and for the use of the Principal Clerk, in properly preparing bills and filing papers, from the close of the session until five days thereafter.

Which was adopted.

Engrossed House Bill No. 525. A bill defining certain felonies and misdemeanors, providing punishment therefor, and to simplify and abridge the rules, practice, pleadings and forms in the courts of this State under the provisions thereof.

Was read a third time.

The Speaker ordered a call of the House.

Those who responded to the call were Messrs. Adams, Albert, Ashby, Askren, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Guthrie, Hall, Harper, Hatfield, Hauss, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Madden, Marsh, Meriman, Moorman, Paige, Peelle, Perigo, Rea, Reno, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—67.

By consent, further proceedings under the call were dispensed with.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Claypool, Coffman, Cole, Collins, Conley, Cook, Cooley, Craft, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Merriman, Moorman, Paige, Peelle, Perigo, Rea, Riley, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—69.

Those who voted in the negative were Messrs. Benz and Reno—2.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 428. A bill to provide for the payment of one-half of the taxes assessed and collectable in cities on the third Monday in March, and the other half on the third Monday in September, for the proper delinquency and penalties of each year, and declaring an emergency for its immediate taking effect.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Carson, Claypool, Coffman, Collins, Conley, Craft, Crumpacker, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Harris, Harper, Hatfield, Hauss, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Union, Kimmell, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Peelle, Perigo, Priest, Rea, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—59.

Those who voted in the negative were Messrs. Carlton, Carr, Cook, Elwell, Lanham, Paige, Reno, Riley and Stewart—9.

So the bill passed.

The question being, shall the title as read stand
It was so ordered.

House Bill No. 542 was withdrawn from the files by consent of the House, on the request of Mr. Lockhart.

Mr. Grubbs moved the rules be suspended in order that he might introduce a bill.

Which was agreed to.

By unanimous consent, Mr. Grubbs introduced House Bill No. 558. A bill in relation to plank, gravel and turnpike road companies, to prevent the opening of ways around toll gates, and fixing and providing for the collection of penalties.

Which was read a first time.

Mr. Grubbs moved that the constitutional rule be suspended, the bill read a second time by title, considered engrossed, read a third time and put upon its passage.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Claypool, Coffman, Collins, Compton, Conley, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson, of Dearborn, Kennedy of Union, Kimmell, Leeper, Lehman, Little, Lockhart, Madden, Merriman, Moorman, Peelle, Perigo, Priest, Rea, Sailors, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thompson of Miami, Viehe, Warrum, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—70.

Those who voted in the negative were Messrs. Foster of Allen and Reno—2.

So the constitutional rule was suspended, the bill read the second time by title and the third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carson, Claypool, Coffman, Collins, Cooley, Copeland, Craft, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Houghton, Hubbard, Johnson of

Carroll, Johnson of Dearborn, Kennedy of Rush, Kimmell, Langdon, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Perigo, Riley, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Wells, Whitehead, Yaryan and Zimmerman and Mr. Speaker—61.

Those who voted in the negative were Messrs. Ashby, Conley, Cook, Hulet, Leeper, Paige, Priest, Rea, Reno, Spencer, Stewart and Warrum—12.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

By consent, at the request of Mr. Adams, Senate Bill No. 210 was taken from the table and placed on the files.

By consent, Engrossed Senate Bill No. 267. A bill to amend sections 3, 4 and 6 of an act entitled "An act for the incorporation and continuance of building, loan fund and savings associations, and repealing the laws on that subject, approved March 5, 1857, and March 7, 1873, and legalizing all such associations now in existence," approved March 11, 1873.

Was read a first time.

Mr. Marsh moved that the constitutional rule be suspended, the bill read a second time by title, read a third time by sections, and put upon its passage.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Benz, Bumgarner, Cary, Carlton, Carr, Carson, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Grubbs, Guthrie, Harris, Harper, Hatfield, Hauss, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Paige, Peelle, Perigo, Priest, Rea, Sailors, Spencer, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring and Mr. Speaker—68.

Those who voted in the negative were Messrs. Butler, Freeman, Girton, Smith, Stewart, Swayzee and Zimmerman—7.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Askren, Baxter, Benz, Butler, Cary, Carlton, Carson, Chawner, Collins, Compton, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Monroe, Fromm, Garver, Girton, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Hosmer, Houghton, Hubbard, Hulet, Johnson of Dearborn, Leeper, Lehman, Lockhart, Marsh, Mathews, Merriman, Moorman, Peelle, Riley, Sailors, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Viehe, Yaryan and Mr. Speaker—52.

Those who voted in the negative were Messrs. Ashby, Claypool, Coffman, Cook, Elwell, Foster of Allen, Freeman, Kennedy of Union, Kimmell, Little, Madden, Paige, Priest, Reno, Smith, Wells, Whitehead and Zimmerman—18.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

By consent, Mr. Hauss offered the following resolution:

Resolved, That a committee of three be appointed to report to this House what employes thereof are entitled to pay not provided for by law, and thus save the trouble of numerous resolutions on this subject.

Which was adopted.

Engrossed Senate Bill No. 210. A bill exempting certain lands therein described from taxation for general, city or town purposes.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Baxter, Carlton, Carson, Chawner, Claypool, Coffman, Compton, Cooley, Mathews, Merriman, McCarty, Oglebay, Perigo, Priest, Craft, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Hosmer, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Mathews, Merriman, Moorman, Peelle, Perigo, Rea, Sailors, Spencer, Thomas, Whitehead, Yaryan and Zimmerman—52.

Those who voted in the negative were Messrs. Askren, Butler, Cary, Carr, Cole, Cook, Crumpacker, Hubbard, Madden, Riley, Smith, Stewart, Swayzee, Thompson of Elkhart, Warrum and Mr. Speaker—16.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed to submit to the House of Representatives, for the signature of the Speaker thereof, the following bills, to-wit :

Enrolled Act No. 331, Senate of Indiana. An act to establish a Superior Court in the county of Wayne, defining its jurisdiction, and providing for the election and compensation of the Judge thereof.

Enrolled Act No. 318, Senate of Indiana. An act relating to Congressional township school tax, etc.

Enrolled Act No. 99, Senate of Indiana. An act to amend section 57 of an act entitled "An act for the incorporation of towns," etc.

Enrolled Act No. 119, Senate of Indiana. An act to amend section 203 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and the same are herewith submitted for the signature of the Speaker of the House.

Also, Engrossed House Bill No. 138. A bill requiring gravel road, turnpike, macadamized and plank road companies to prepare, file, and have recorded in the proper Recorder's office, certain annual statements, etc.

Engrossed House Bill No. 103. A bill to provide for taxing as costs the expense of procuring transcripts and exemplification of records.

Also, Enrolled Act No. 41 House of Representatives. An act declaring the effect of the repeal of statutes.

Enrolled Act No. 53, House of Representatives. An act authorizing the appointment of students to Purdue University by the

board of commissioners of each county, and to provide for the admittance of such scholars, and defining their privileges therein.

Enrolled Act No. 70, House of Representatives. An act to legalize the election held in the year 1875 in the town of Eaton, Delaware county, Indiana, and to legalize the official acts of the board of trustees of said town for said year, and to legalize the acts of all other officers of said corporation for said year, under an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties, approved June 11, 1852, and to legalize all by-laws, rules, etc.

Also, Enrolled Acts House of Representatives Nos. 75, 88, 115, 191, 554, 556 and 555.

And the same are herewith returned to the House.

The Speaker announced that he had signed Enrolled Senate Acts Nos. 331, 318, 99 and 119 ; also, Enrolled House Acts Nos. 41, 53, 70, 75, 115, 88, 191, 554, 556 and 555.

Mr. Reno moved that the House adjourn until 7 o'clock, P. M.
Which was not agreed to.

By consent, Mr. Peelle introduced House Joint Resolution No. 28, entitled "A joint resolution to suspend the operation of an act entitled 'an act to amend section 180 of an act entitled an act to provide for a uniform assessment of property for the collection and return of taxes thereon,'" approved December 21, 1872.

Which was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Cook, Copeland, Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Grubbs, Gutnrie, Harris, Harper, Hatfield, Hauss, Highway, Houghton, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Lanham, Little, Lockhart, Madden, Merriman, Moorman, McGaughey, Peelle, Perigo, Priest, Riley, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—60.

Those who voted in affirmative were Messrs. Baxter, Cooley, Langdon, Leeper, Mathews, McCarty, Reno, Stewart and Viehe—9.

So the joint resolution passed.

The question being, shall the title as read stand ?

It was so ordered.

The order of business was resumed.

Engrossed House Bill No. 360. A bill to amend section 199 of an act entitled " An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," and declaring an emergency.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Bumgarner, Butler, Carlton, Carr, Carson, Cole, Cook, Cooley, Copeland, Crumpacker, Dannettell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Little, Madden, Moorman, McCarty, McGaughey, Peelle, Perigo, Priest, Rea, Riley, Sailors, Smith, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—64.

Those who voted in the negative were Messrs. Reno and Stewart—2.

So the bill passed.

The question being, shall the title as read stand ?

It was so ordered.

Mr. Carlton arose to a question of privilege and submitted the following protest :

MR. SPEAKER :

I protest against the passage of the joint resolution suspending the operation of Senate Enrolled Act No. 266 until the next session of the General Assembly, because I do not believe that a law can be constitutionally suspended or repealed by a joint resolution. If a law may be suspended for two years by joint resolution it may be so suspended for forty years, or indefinitely, which would substantially amount to a repeal. And I respectfully ask that this protest be entered on the journal of the House.

Which was read and ordered to be spread upon the journal.

Mr. Thomas offered the following resolution :

Resolved, That each member of this house be entitled to the two volumes of Davis' Statutes for the two years for which he was elected.

Which, on Mr. Lehman's motion, was laid upon the table.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed to inform the House that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 148. A bill giving the employes of corporations a lien for their work and labor upon the corporate property of such corporation and the earnings thereof, together with the mode of enforcing the same, and repealing all laws in conflict therewith.

Engrossed House Bill No. 98. A bill to regulate the hanging of doors to entrances to theatres, opera houses, public halls, museums, churches, Colleges, seminaries and school buildings, and the same are herewith returned to the House.

On motion by Mr. Benz, the House adjourned until 7 o'clock P. M.

NIGHT SESSION.

SATURDAY, March 10, 1877.

The House met with the Speaker in the chair.

House Bill No. 523 was taken up, and a third reading thereof began, and when the same was partially read, Mr. Hall moved that the further reading of the bill be postponed until next Monday.

Mr. Lehman moved to lay the motion upon the table.

Upon which motion Messrs. Lehman and Adams demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Baxter, Bumgarner, Butler, Carlton, Carson, Chawner, Claypool, Cole, Craft, Foster of Monroe, Girton, Gossman, Guthrie, Harris, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Lanham, Lehman, Little, Lockhart, Merriman, Moorman,

McCarty, McGaughey, Paige, Peelle, Priest, Riley, Swayzee, Thomas, Thomson of Miami, Wells, Zimmerman and Mr. Speaker—38.

Those who voted in the negative were Messrs. Ames, Askren, Austin, Benz, Branyan, Cary, Coffman, Cook, Cooley, Copeland, Crumpacker, Dannettell, Foster of Allen, Freeman, Hall, Harper, Hatfield, Hauss, Hosmer, Houghton, Hulet, Kimmell, Langdon, Leeper, Madden, Marsh, Perigo, Rea, Reno, Sailors, Spencer, Stewart, Thompson of Elkhart and Whitehead—35.

So the motion to lie on the table prevailed.

Pending the further reading of the bill, Mr. Langdon moved that the House take a recess until 9 o'clock.

Which, on Mr. Lehman's motion, was laid upon the table.

Mr. Yaryan moved that the further reading of the bill be postponed, in order that a resolution by Mr. Carlton, might be introduced.

The ayes and noes being demanded by Messrs. Carlton and Langdon.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Carlton, Carson, Chawner, Cole, Collins, Craft, Dannettell, Davis, Endsley, Foster of Monroe, Garver, Girton, Gosmann, Grubbs, Guthrie, Harris, Hatfield, Johnson of Carroll, Kennedy or Union, Lehman, Moorman, McCarty, McGaughey, Peelle, Priest, Sailors, Smith, Swayzee, Thomson of Miami, Wells and Yaryan—34.

Those who voted in the negative were Messrs. Ashby, Austin, Askren, Branyan, Butler, Claypool, Coffman, Cook, Cooley, Copeland, Crumpacker, Foster of Allen, Freeman, Hall, Harper, Hauss, Highway, Hosmer, Houghton, Johnson of Dearborn, Kimmell, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Meriman, Paige, Perigo, Rea, Reno, Riley, Spencer, Stewart, Thomas, Thompson of Elkhart, Viehe, Whitehead, Zimmerman and Mr. Speaker—42.

So the reading of the bill was not suspended, and was continued.

Pending the further reading of the bill, Mr. Craft moved a call of the roll of the House.

Those who answered to the call of the roll were Messrs. Ames, Adams, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Carlton, Carson, Chawner, Claypool, Coffman, Collins,

Cook, Cooley, Copeland Craft, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, McCarty, McGaughey, Paige, Pelle, Perigo, Priest, Rea, Reno, Riley, Sailors, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Miami, Howard Viehe, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—71.

By consent further proceedings under the call were dispensed with, and the reading of the bill was continued.

Pending which Mr. Austin moved that the House do now adjourn.

The ayes and noes being demanded by ten members.

Those who voted in the affirmative were Messrs. Adams, Ashby, Austin, Baxter, Bumgarner, Butler, Carlton, Carson, Cook, Cooley, Dannettell, Davis, Freeman, Girton, Hatfield, Houghton, Hulet, Johnson of Carroll, Johnson of Dearborn, Kimmell, Langdon, Lanham, Lehman, McCarty, McGaughey, Paige, Reno, Spencer, Stewart, Thomas, Thomson of Elkhart, Thomson of Miami, Yaryan, Zimmerman and Mr. Speaker—35.

Those who voted in the negative were Messrs. Askren, Branyan, Chawner, Claypool, Coffman, Copeland, Craft, Crumpacker, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Highway, Hosmer, Kennedy of Union, Leeper, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Pelle, Perigo, Priest, Rea, Riley, Sailors, Smith, Swayzee, Viehe, Wells and Whitehead—42.

So the motion to adjourn did not prevail.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am instructed to inform the House that the Senate has reconsidered its vote upon the House concurrent resolution in relation to the adjournment of the General Assembly on Monday the 12th day of March, 1877.

Mr. Carlton, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

Your joint committee on Enrolled Bills have this day presented to the Governor for his signature, the following Enrolled Senate Bills: Nos. 99, 119 and 318.

Mr. Hall moved that the further reading of the bill be suspended, for the purpose of taking up the Senate concurrent resolution with reference to adjournment.

Mr. Adams moved to lay the motion upon the table.

The ayes and noes being demanded by Messrs. Craft and Carlton:

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Branyan, Bumgarner, Butler, Carlton, Carson, Cook, Craft, Dannettell, Davis, Endsley, Foster of Monroe, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Hulet, Kennedy of Union, Lehman, Mathews, Moorman, McCarty, McGaughey, Peelle, Priest, Sailors, Thomson of Miami, Wells, Whitehead and Yaryan—34.

Those who voted in the negative were Messrs. Ashby, Askren, Chawner, Claypool, Coffman, Cooley, Copeland, Crumpacker, Foster of Allen, Freeman, Fromm, Garver, Hall, Harper, Hauss, Highway, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Kimmell, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Merriman, Paige, Perigo, Rea, Reno, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Viehe, Zimmerman and Mr. Speaker—42.

So the motion to lie on the table did not prevail.

Mr. Lehman moved that the House do now adjourn.

The Speaker ordered a call of the House.

Those who responded to the call were Messrs. Adams, Ashby, Askren, Austin, Baxter, Branyan Butler, Carlton, Carson, Chawner, Claypool, Coffman, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Houghton, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Lehman, Little, Lockhart, Madden, Marsh, Mathews, Merriman, McCarty, McGaughey, Peelle, Perigo, Priest, Rea, Reno, Riley, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—64.

No quorum answering.

The question recurring on the motion to adjourn, ten members demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ames, Austin, Baxter, Bumgarner, Butler, Carlton, Carson, Chawner, Cook, Craft, Dannettell, Davis, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Hatfield, Houghton, Hulet, Johnson of Carroll, Kennedy of Union, Lanham, Lehman, Lockhart, Merriman, Moorman, McGaughey, Paige, Peelle, Priest, Sailors, Spencer, Stewart, Swayzee, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—45.

Those who voted in the negative were Messrs. Ashby, Askren, Branyan, Claypool, Coffman, Cooley, Copeland, Crumpacker, Fromm, Guthrie, Hall, Harris, Harper, Hauss, Highway, Hosmer, Johnson of Dearborn, Kimmell, Langdon, Leeper, Little, Madden, Marsh, Mathews, Perigo, Rea, Reno, Riley, Smith, Thomas, Thompson of Elkhart and Viehe—32.

So the motion to adjourn prevailed.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

MONDAY MORNING,

MARCH 12, 1877.

The House met with the Speaker in the chair.

The reading of the journal of Saturday's proceedings was begun and partially completed, when, on motion by Mr. Carlton, the further reading was dispensed with.

Mr. Carlton moved that the House adjourn until 2 o'clock P. M.
Which was not agreed to.

Mr. Hall moved to take up the concurrent resolution of the Senate providing for an adjournment of the special session on the 12th of March.

Mr. Craft moved to lay the resolution on the table.

Upon which motion the ayes and noes were demanded by Messrs. Craft and Reno.

Those who voted the affirmative were Messrs. Adams, Albert,

Ashby, Baxter, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Collins, Craft, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Lanham, Lockhart, Madden, Merriman, Moorman, McCarty, McGaughey, Peelle, Priest, Sailors, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—45.

Those who voted in the negative were Messrs. Askren, Benz, Coffman, Cook, Cooley, Copeland, Crumpacker, Foster of Allen, Fromm, Hall, Harper, Hauss, Highway, Hosmer, Hulet, Langdon, Little, Marsh, Mathews, Perigo, Reno, Riley, Spencer, Stewart and Viehe—25.

So the motion of Mr. Hall was laid upon the table.

Messrs. Paige and Viehe were granted leave of absence until Wednesday morning.

Mr. Carlton, from the committee on enrolled bills, submitted the following report:

• **MR. SPEAKER:**

Your committee on enrolled bills respectfully report that we have compared the Enrolled Bills with the Engrossed Bills, in Enrolled Acts Nos. 103, 98, 148, 138 and 279, and we find the same correctly enrolled.

The order of business being

HOUSE BILLS ON THIRD READING :

On motion, by Mr. Thomson of Elkhart, the further reading of House Bill No. 523 was dispensed with.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the Senate to submit to the House, for the signature of the Speaker thereof, the following act, to-wit :

Engrossed Senate Act No 210. An act exempting certain lands named therein from taxation for general city or town purposes.

And the same is herewith submitted.

Engrossed House Bill No. 477. A bill to amend section 1 of an

act entitled "An act to amend sections 4 and 6 of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical, and building purposes," approved May 20, 1852, by providing that any companies which may have been incorporated in this State for any of the purposes contemplated in said act, with a fixed amount or limitation of capital, may increase the same by a vote of its stockholders in the same manner as is provided in said section for increasing capital stock, and providing for election of directors and certain officers, and prescribing the manner of casting the votes in such election," approved March 11, 1861, and to legalize the acts of such companies that have divided their capital stock into shares of not more than one hundred dollars each.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Askren, Baxter, Benz, Bumgarner, Cary, Carlton, Carr, Chawner, Claypool, Cooley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Langdon, Lanham, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Peelle, Priest, Riley, Sailors, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Viehe, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—59.

Those who voted in the negative were Messrs. Ashby, Coffman, Foster of Allen, Highway, Hosmer, Perigo, Reno and Stewart—8.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Engrossed House Bill No. 57. A bill providing for the improvement of highways, and repealing all acts inconsistent therewith.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ames, Albert, Bumgarner, Cary, Carlton, Chawner, Claypool, Coffman, Collins, Dannettell Foster of Monroe, Freeman, Gossman, Hall, Hauss, Henderson, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Langdon, Mathews, Moorman, McCarty, Spencer, Stewart, Swayzee, Wells and Yaryan—30.

Those who voted in the negative were Messrs. Ames, Ashby, Askren, Baxter, Benz, Butler, Carr, Cook, Cooley, Copeland, Crumpacker, Davis, Endsley, Fromm, Girton, Grubbs, Guthrie, Harris, Harper, Hatfield, Highway, Hosmer, Kimmell, Koontz, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Merriman, McGaughey, Peelle, Perigo, Reno, Riley, Sailors, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Zehring, Zimmerman and Mr. Speaker—46.

So the bill was lost.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House that he has signed the following acts, to-wit :

Enrolled Acts House of Representatives, Nos. 98, 103, 138, 148 and 279.

And the same are herewith returned to the House.

House Bill No. 461. A bill to amend section 136 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Which was considered engrossed and read a third time.

By unanimous consent Mr. Viehe offered the following amendment to the bill :

Amend House Bill No. 461 by striking out the words "hundred and thirty-six."

Which was adopted.

The question being, shall the bill pass ?

Those who voted in the affirmative were Messrs. Ashby, Askren, Baxter, Benz, Butler, Cary, Carlton, Chawner, Claypool, Cole, Collins, Compton, Cooley, Copeland, Davis, Endsley, Foster of Monroe, Freeman, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Marsh, Merriman, Moorman, Morgan, Peelle, Perigo, Riley, Sailors, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of

Howard, Thomson of Miami, Viehe, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—64.

Those who voted in the negative were Messrs. Albert, Bumgarner, Cook, Crumpacker, Foster of Allen, Madden, McCarty and Reno—8.

So the bill passed.

The question being, shall the title as read stand?

Mr. Vehe moved the following amendment to the title of the bill:

MR. SPEAKER:

I move to amend the title of House Bill No. 461 as follows: After the word "amend," in line 1, insert the following: Section 1 of an act approved March 9, 1875, entitled, "an act to amend."

Which was agreed to.

House Bill No. 546. A bill to authorize county commissioners to employ an attorney to defend indigent persons in criminal causes.

Was considered engrossed, and read a third time.

By consent, Mr. Carlton offered the following amendment to the bill:

Amend House Bill No. 546 by inserting after words "circuit courts" the words "and criminal courts."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Baxter, Benz, Cary, Carlton, Carson, Cole, Collins, Compton, Craft, Davis, Endsley, Foster of Allen, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Johnson of Carroll, Koontz, Lanham, Leeper, Madden, Marsh, Merri-man, Peelle, Riley, Sailors, Spencer, Thompson of Howard, Thomson of Miami, Wells, Whitehead and Mr. Speaker—41.

Those who voted in the negative were Messrs. Ashby, Askren, Butler, Carr, Claypool, Coffman, Cook, Cooley, Copeland, Crumpacker, Dannettell, Foster of Monroe, Fromm, Girton, Gossman, Highway, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Little, Mathews, Moorman, Morgan, Perigo, Priest, Reno, Stewart, Swayzee, Thomas, Thompson of Elkhart, Viehe, Yaryan, Zehring and Zimmerman—37.

So the bill failed for want of a constitutional majority.

By request of Mr. Albert, the House granted him leave to withdraw House Bill No. 510 from the files.

Engrossed Senate Bill No. 18. A bill to amend sections 550 and 561 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a third time.

The question again being, shall the bill pass?

Those voting in the affirmative were Messrs. Adams, Albert, Ames, Askren, Benz, Butler, Carlton, Carson, Chawner, Cole, Collins, Compton, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Foster of Monroe, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Koontz, Langdon, Lanham, Little, Mathews, Merriman, Morgan, McGaughey, Peelle, Riley, Sailors, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Wells and Mr. Speaker—51.

Those who voted in the negative were Messrs. Ashby, Austin, Baxter, Branyan, Bumgarner, Cary, Carr, Claypool, Coffman, Conley, Cook, Crumpacker, Foster of Allen, Freeman, Fromm, Girton, Hosmer, Kennedy of Union, Kimmell, Leeper, Lehman, Lockhart, Madden, Moorman, McCarty, Perigo, Priest, Reno, Stewart, Whitehead, Yaryan, Zehring and Zimmerman—33.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

The Speaker announced reports from committees to be in order, whereupon

Mr. Cook, from the committee on elections, submitted the following report:

MR. SPEAKER:

Your committee on elections, to whom was referred House Bill No. 492, introduced by Mr. Hulet, entitled "An act for the election of supervisors, and defining some of their duties," have had the same under consideration, and authorize me to refer the same back with the recommendation that it do pass.

The report was concurred in, and, by consent, House Bill No. 492, a bill providing for the election of road supervisors and

defining some of their duties, and the compensation therefor, and repealing all laws in conflict with this act, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Elwell, Endsley, Foster of Allen, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Henderson, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Peelle, Perigo, Priest, Riley, Sailors, Stewart, Swayzee, Thomas, Thompson of Howard, Whitehead, Zimmerman and Mr. Speaker—65.

Those who voted in the negative were Messrs. Crumpacker, Highway, Koontz, Reno, Thompson of Elkhart, Wells and Zehring—7.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Peelle, from the committee on the organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on the organization of courts, to which was referred House Bill No. 7, creating the Forty-second Judicial Circuit, fixing the time of holding courts therein, and also fixing the time of holding courts in the Twenty-fourth Judicial Circuit Court, have had the same under consideration, and directed me to report the same back to the House and recommend its passage.

Mr. Crumpacker moved that the report and bill be laid upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Albert and Thompson of Elkhart.

Those who voted in the affirmative were Messrs. Ashby, Baxter, Branyan, Butler, Cary, Carr, Carlton, Chawner, Coffman, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Freeman, Grubbs, Highway, Hosmer, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kimmell, Lanham, Leeper, Little, Lockhart, Madden, Merriman, Moorman, Morgan, Reno, Riley, Stewart, Swayzee, Thomas, Thompson of Elkhart, Whitehead, Zehring, Zimmerman and Mr. Speaker—42.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Bumgarner, Collins, Elwell, Foster of Allen, Foster of Monroe, Garver, Gossman, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Koontz, Lehman, McGaughey, Peelle, Sailors, Thompson of Howard and Wells—24.

So the motion prevailed.

Leave of absence was granted Mr. Riley until to-morrow.

Mr. Foster of Monroe, from the committee on rights and privileges, submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges, to whom was referred House Bill No. 496, entitled "An act to cure certain defects in an act authorizing the sale of certain lands belonging to the State of Indiana," approved March 11, 1875, and for the relief of Catharine Christian, have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

The report was concurred in, and by consent, House Bill No. 496, a bill to cure defects in an act entitled "An act authorizing the sale and conveyance of certain lands belonging to the State of Indiana," approved March 11, 1875, and for the relief of Catharine Christian.

Which was considered engrossed and read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Cole, Collins, Conley, Cook, Copeland, Craft, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Houghton, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmel, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Marsh, Moorman, Morgan, McCarty, McGaughey, Oglebay, Peelle, Perigo, Priest, Sailors, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—70.

Mr. Reno voting in the negative.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

By consent, Mr. Foster of Monroe introduced House Bill No. 559, entitled "A bill to legalize and render valid the records of the Courts of Common Pleas of the various counties in the State of Indiana.

Which was read a first time.

Mr. Foster of Monroe moved that the constitutional rule be suspended, the bill was read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

The ayes and noes being taken under the constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Henderson, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Moorman, Morgan, McGaughey, Oglebay, Peelle, Perigo, Priest, Sailors, Swayzee, Thomas, Thomson of Elkhart, Thompson of Howard, Viehe, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—72.

Those who voted in the negative were Messrs. Crumpacker, Marsh, Merriman, Reno, Stewart and Yaryan—6.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, and read a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Ashby, Askren, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Dannettell, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Oglebay, Peelle, Perigo, Priest, Sailors, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Viehe, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—73.

Those who voted in the negative were Messrs. Crumpacker, Marsh, Reno and Stewart—4.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Hall, from the committee on railroads submitted the following report:

MR. SPEAKER:

Your committee on railroads, to which was referred Engrossed House Bill No. 377, a bill prohibiting counties, townships or cities from taking stock in, or making donation to railroad companies, with instructions, have had the same under consideration, and in obedience to said instructions, your committee recommend said bill be amended as follows, and when so amended, that said bill do pass:

1. Amend section 1, by inserting the word "partially" after the word "been," in line 17 of said section.

2. Amend section 1, by striking out all after the word "tax," in line 20.

Mr. Gossman moved that the bill and report be laid upon the table.

Which was agreed to.

The Speaker announced that he had signed enrolled acts of the House Nos. 138, 148, 98, 103 and 279; also enrolled act of the Senate No. 210.

Mr. Little, from the committee on county and township business, submitted the following report:

MR. SPEAKER:

Your committee on county and township business, to which was Engrossed Senate Bill No. 55, entitled, "An act entitled 'an act to indemnify counties against loss in certain cases, and to protect laborers, material-men, and others from loss by persons contracting for county buildings and work,'" have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do pass.

The report was concurred in, and by consent,

Engrossed Senate Bill No. 55. A bill entitled, an act to indemnify counties against loss in certain cases, and to protect laborers,

material-men and others from loss by persons contracting for county buildings and work.

Was read a third third.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Branyan, Butler, Cary, Carlton, Carson, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Dannettell, Davis, Endsley, Freeman, Garver, Girton, Gossman, Grubbs, Guthie, Hall, Harper, Hatfield, Henderson, Houghton, Hulet, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Marsh, Mathews, Merriman, Morgan, Oglebay, Peelle, Perigo, Stewart, Thomas, Thompson of Howard, Wells, Whitehead, Zehring and Zimmerman—57.

Those who voted in the negative were Messrs. Askren, Bumgarner, Claypool, Coffman, Crumpacker, Elwell, Foster of Allen, Foster of Monroe, Fromm, Harris, Hauss, Hosmer, Hubbard, Johnson of Carroll, Johnson of Dearborn, Moorman, Reno, Swayzee, Thompson of Elkhart, Viehe, Yaryan and Mr. Speaker—22.

So the bill passed.

The question being, shall the title of the bill as read stand?

It was so ordered.

Pending the call of the committees, at the committee on agriculture, on motion by Mr. Foster of Allen, the House adjourned.

AFTERNOON SESSION,

MONDAY, March 12, 1877.

The House met, with the Speaker in the chair.

Mr. Lehman moved that the rules be suspended to permit the introduction of a resolution.

Which was not agreed to.

Mr. Carlton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills, respectfully report that on the 12th day of March, 1877, we presented to the Governor for

his signature, the following Enrolled Acts, House of Representatives, Nos. 148, 138, 279, 98 and 103.

The joint committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills have this day presented to the Governor for his signature, Enrolled Senate Bill No. 210.

Mr. Thompson of Elkhart, from the committee on agriculture, submitted the following report :

MR. SPEAKER :

Your committee on agriculture, to whom was referred the resolutions adopted by the National Grange, and message of His Excellency, Governor Williams, have had the same under consideration, and I am directed to report the enclosed resolution and recommend its adoption.

The committee on agriculture then introduced House Joint Resolution No. 29. A joint resolution instructing our Senators, and requesting our Representatives in Congress, to secure the passage of a law elevating the head of the Bureau of Agriculture to the dignity and position of a Cabinet officer, and creating a Department of Agriculture.

Which was read.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Baxter, Bumgarner, Butler, Carlton, Cary, Carson, Coffman, Collins, Compton, Craft, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girtton, Guthrie, Harris, Harper, Hatfield, Hubbard, Kennedy of Rush, Koontz, Lehman, Little, Lockhart, Marsh, Merriman, Morgan, McGaughey, Oglebay, Peelle, Perigo, Sailors, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zehring and Zimmerman—50.

Those who voted in the negative were Messrs. Askren, Benz, Carr, Chawner, Cook, Crumpacker, Foster of Allen, Freeman, Gossman, Grubbs, Hall, Houghton, Johnson of Carroll, Kennedy of Union, Lanham, McCarty, Riley, Spencer and Mr. Speaker—19.

So the joint resolution failed for want of a constitutional majority.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the Senate to submit to the House of Representatives, for the signature of the Speaker thereof, the following act, to-wit :

Enrolled Senate Act No. 267. An act to amend sections 3, 4 and 6 of an act entitled "An act for the incorporation and continuance of building, loan fund and savings associations, and repealing all laws on that subject," approved March 5, 1857, approved March 7, 1873, and legalizing all such association, etc.

Enrolled Senate Act No. 108. An act to amend section 3 of an act entitled "An act to amend sections 65 and 66 of an act providing for the settlement of decedents' estates, etc.

Enrolled Senate Act No. 322. An act to legalize a contract heretofore made and entered into on the 28th day of June, 1875, by and between the Board of Commissioners of Porter county, Indiana, and Henry B. Brown, and declaring an emergency, and the same are herewith submitted.

Mr. Foster, of Monroe, from the committee on cities and towns, submitted the following report :

MR. SPEAKER:

Your committee on cities and towns, to which was referred House Bill No. 502, a bill to legalize certain acts of the board of trustees of the town of Williamsport, county of Warren, on levying a tax upon the taxables of said town for the year 1874, have had the same under consideration, and recommend the passage of the bill.

The report was concurred in, and Engrossed House Bill No. 502, a bill to legalize certain acts of the board of trustees of the town of Williamsport, county of Warren, in levying a tax upon the taxables of said town for the year 1874.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Benz, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Collins, Compton, Conley, Cook, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Highway, Houghton, Hubbard,

Johnson of Carroll, Kennedy of Union, Kimmell, Koontz, Lanhams, Leeper, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, Morgan, McCarty, McGaughey, Oglebay, Peelle, Perigo, Riley, Sailors, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—68.

No member voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Peelle, from the committee on insurance, submitted the following report:

MR. SPEAKER:

Your committee on insurance, to whom was referred House Bill No. 524, have had the same under consideration, and the committee have directed me to report the same back to the House with the recommendation that the same do pass.

The report was concurred in and the bill laid upon the table.

Mr. Freeman, from the committee on reformatory institutions, submitted the following report:

MR. SPEAKER:

Your committee on reformatory institutions, to whom was referred House Bill No. 531, have examined the same and report that this is a bill to amend the act establishing the House of Refuge. We believe the proposed amendment to be a necessary one and therefore recommend its passage.

The report was concurred in.

By consent, House Bill No. 531, a bill to amend an act entitled "An act to establish a House of Refuge for the correction and reformation of juvenile offenders," approved March 8, 1867, and repealing section 11 of said act, approved December 10, 1872.

Was considered engrossed, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cooley, Craft, Davis, Endsley, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman,

Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Highway, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Leeper, Little, Lockhart, Marsh, Mathews, Merriman, Morgan, McCarty, McGaughey, Oglebay, Peelle, Perigo, Riley, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zehring and Mr. Speaker—69.

Those who voted in the negative were Messrs. Cook and Crumpacker—2.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

By consent, Mr. Branyan called up Senate Bill No. 116. An act to amend section 68 of an act entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a third time, and on motion of Mr. Cole laid upon the table.

Mr. Peelle, from the committee on the organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on the organization of courts, to which was referred House Bill No. 495, introduced by Mr. Yaryan, being a bill entitled, "An act to prescribe the funds from which, and the times and mode for, the payment of the salaries of the Judges and Prosecuting Attorneys of the State, have had the same under consideration, and the committee have directed me to report the same back to the House, with the recommendation that the same do pass.

The report was concurred in, and the bill laid upon the table for future action.

Mr. Peelle, from the committee on organization of courts, submitted the following report:

MR. SPEAKER:

Your committee on organization of courts, to whom was referred House Bill No. 494, being a bill entitled "An act to provide for taxing and adjudging costs in certain cases in criminal actions,"

have had the same under consideration, and the committee have directed me to report the same back to the House with the recommendation that the same do pass.

The report was concurred in, and the bill by consent, laid upon the table.

Mr. Cole, from the committee rights and privileges, submitted the following report :

MR. SPEAKER :

Your committee on rights and privileges, to whom was referred House Bill No. 520, entitled "An act to amend section 1 of an act entitled 'an act for the protection of the Sabbath, and providing penalties for the desecration thereof,'" have had the same under consideration, and I am directed to report it back with the following recommendation: That said bill be amended by striking out the words "connected with hotels" in section 1, and that when said bill is so amended, it do pass.

Which report was concurred in, and the bill by consent, was read a third time.

Mr. Branyan moved that the bill be laid upon the table.

Upon which motion, Messrs. Albert and Cole demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Baxter, Branyan, Butler, Cary, Claypool, Coffman, Cook, Cooley, Craft, Davis, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Grubbs, Hall, Harris, Harper, Hatfield, Houss, Houghton, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Little, Lockhart, Madden, Marsh, Merriman, Moorman, Morgan, McCarty, Perigo, Reno, Riley, Sailors, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zehring and Zimmerman—51.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Ashby, Askren, Benz, Bumgarner, Carlton, Carr, Carson, Cole, Collins, Compton, Conley, Dannettell, Endsley, Garver, Girtton, Gossman, Guthrie, Henderson, Langdon, Leeper, Lehman, McGaughey, Peelle, Yaryan and Mr. Speaker—28.

So the motion to lie on the table prevailed.

The Speaker announced that he had signed Enrolled Acts of the Senate Nos. 322, 267 and 108.

Mr. Kennedy of Rush demanded another vote on House Joint

Resolution No. 29, which had previously failed for want of a constitutional majority.

The question again being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carson, Claypool, Coffman, Cole, Collins, Conley, Cooley, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girtton, Grubbs, Guthrie, Harris, Harper, Hauss, Kennedy of Rush, Kennedy of Union, Koontz, Leeper, Little, Lockhart, Marsh, Merriam, Morgan, Oglebay, Peelle, Perigo, Sailors, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Wells, Whitehead and Zehring—50.

Those who voted in the negative were Messrs. Carr, Cook, Davis, Freeman, Gossman, Hall, Hatfield, Henderson, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Langdon, Lanham, Madden, Moorman, McCarty, McGaughey, Reno, Riley, Yaryan, Zimmerman and Mr. Speaker—23.

So the joint resolution failed to pass for want of a constitutional majority.

Mr. Ashby, from the committee on rights and privileges, submitted the following report:

MR. SPEAKER:

Your committee on rights and privileges, to whom was referred House Bill No. 544, entitled "An act to change the name of the village of Richland City, Spencer county, Indiana, to that of Axton," have had the same under consideration, and have directed me to report it back with the recommendation that it do pass.

The report was concurred in, and the bill, by consent, was laid upon the table.

Leave of absence was granted Mr. Rea.

Mr. Compton, from the committee on railroads, submitted the following report:

MR. SPEAKER:

Your committee on railroads, to which was referred House Bill No. 385, a bill to repeal an act entitled "An act to authorize aid to the construction of railroads by counties and townships, by taking stock in, and making donations to, railroad companies," approved May 12, 1869, and the act supplementary thereto, approved January 30, 1873, and the act, as amended, approved March 17, 1875,

with certain instructions, have had the same under consideration, and, in accordance with said instructions, recommend the bill be amended as follows, and when so amended, the bill do pass :

Amend section 1, by adding the following words: "*Provided*, That this act shall not apply to roads which have been partially located, and to which one or more townships have voted aid, under the provisions of existing law."

Mr. Cole moved that the bill and report be laid upon the table.

Which was agreed to.

Mr. Peele called up Senate Bill No. 52, which had previously failed for want of a constitutional majority.

The question again being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Bumgarner, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Cole, Collins, Compton, Conley, Cooley, Craft, Dannettell, Elwell Endsley, Foster of Monroe, Freeman, Fromm, Girton, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Highway, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Marsh, Mathews, Merriman, Moorman, McCarty, McGaughey, Peelle, Perigo, Reno, Riley, Scott, Thomas, Thomson of Howard, Thompson of Elkhart, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—64.

Those who voted in the negative were Messrs. Cook, Davis, Foster of Allen, Garver, Gossman, Stewart and Yaryan—7.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following executive communication was received from His Excellency, Governor Williams:

The Honorable, the Speaker of the House of Representatives:

The Governor has the honor to respectfully inform the House of Representatives that he has this day approved and signed House Enrolled Bills numbered and entitled as follows:

No. 554. An act making specific appropriations, and directing how they shall be paid.

No. 555. An act making appropriations for the expenses of the State Government and its institutions, directing the objects to which

such appropriations shall be applied, requiring accounts to be kept and reported by the fiscal years of the State, and repealing inconsistent laws.

No. 556. An act appropriating fifteen thousand dollars to defray the expenses of the special session of the General Assembly of the State of Indiana for the year 1877.

And that he has caused said acts to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, March 10, 1877.

On motion by Mr. Carsen, the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

TUESDAY MORNING,

MARCH 13, 1877.

The House met with the Speaker in the chair.

The journal of yesterday's proceedings was read and approved.

Mr. Benz offered the following resolution :

Resolved, That a committee of three be appointed by the Chair to collect funds from the members and purchase and present to Mrs. Morrison, widow of Dr. A. A. Morrison, late a member of this House, as a testimonial of respect to her, a photograph group of the members of the House.

Which was adopted.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives for the signature of the Speaker thereof, the following acts, to-wit :

Enrolled Senate Act No. 18. An act to amend sections 550 and 551 of an act entitled "An act to revise, simplify and abridge the

rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Enrolled Senate Act No. 55. An act to indemnify counties against loss in certain cases, and to protect laborers, material-men and others from loss by persons contracting for county buildings and work.

And the same are herewith submitted.

I am also directed by the President of the Senate to inform the House that he has signed the following acts, to-wit :

Enrolled Acts, Senate of Indiana, numbered as follows: 108, 267 and 322.

I am also directed by the Senate to inform the House that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 454. A bill to enable farmers and citizens of any county in the State to form voluntary associations for the purpose of insuring their property against losses by fire and all other matters connected therewith, and enable them to sue and be sued by their corporate name.

Engrossed House Bill No. 559. A bill to legalize and render valid the records of the courts of common pleas of various counties in the State of Indiana.

Engrossed House Bill No. 465. A bill to authorize and encourage the enclosure of land subject to overflow, by incorporated associations, etc.

Engrossed House Bill No. 485. A bill authorizing the acquisition of Green River Island, or to locate the true boundary line at said island.

Engrossed House Bill No. 344. A bill to amend section 1 of an act entitled "An act providing for the protection of fish," etc.

Engrossed House Bill No. 238. A bill for the suppression of the traffic in and circulation of obscene literature, etc.

Engrossed House Bill No. 60. A bill to amend section 1 of an act entitled "An act to provide compensation to the owners of animals killed by railroads," etc.

And the same are herewith returned to the House.

Also, Engrossed Senate Bill No. 334. An act to amend sections 2, 4 and 5 of an act entitled, "An act to divide the State into circuits for judicial purposes, etc., and the same is respectfully submitted to the House of Representatives for its action thereon.

Mr. Moorman, from the committee on temperance, submitted the following report :

MR. SPEAKER :

Your committee on temperance, to whom was referred House Bill No. 549, have considered the same, and a majority of them beg leave to submit the following report, recommending that the bill do pass.

Mr. Lehman moved that the bill and report be laid upon the table.

The ayes and noes were demanded by Messrs. Lanham and Lehman.

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Austin, Benz, Carlton, Coffman, Collins, Compton, Cooley, Crumpacker, Dannetell, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Hauss, Henderson, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Lehman, Leeper, McCarty, McGaughey, Peelle, Perigo, Rea, Reno, Spencer, Thomson of Elkhart, Whitehead and Zehring—37.

Those who voted in the negative were Messrs. Baxter, Branyan, Butler, Carr, Carson, Chawner, Cole, Conley, Copeland, Craft, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Little, Mathews, Moorman, Priest, Riley, Sailors, Scott, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Wells, Yaryan, Zimmerman and Mr. Speaker—45.

So the motion to lie upon the table did not prevail.

The question being upon concurring in the report from the committee.

Mr. Lehman moved the previous question, which was not seconded by the House.

Mr. Leeper again moved the previous question, which was now seconded by the House, and the main question ordered.

The question recurring upon concurring in the report, the ayes and noes were demanded by Messrs. Foster of Allen and Little.

Those who voted in the affirmative were Messrs. Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Craft,

Elwell, Foster of Monroe, Freeman, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Highway, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Kimmel, Koontz, Langdon, Lanham, Little, Lockhart, Mathews, Moorman, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Wells, Yaryan, Zimmerman and Mr. Speaker—45.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Cooley, Dannettell, Davis, Foster of Allen, Fromm, Girton, Gossman, Hatfield, Henderson, Hosmer, Houghton, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, McGaughey, Paige, Peelle, Perigo, Priest, Rea, Reno, Spencer, Thompson of Elkhart, Whitehead and Zehring—38.

So the report was concurred in, and the bill ordered to be engrossed.

Messrs. Claypool and Morgan were granted leave of absence until to-morrow.

Mr. Mathews moved that House Bill No. 557 be taken from the table.

Which was agreed to, and the bill was taken up and read a second time.

Mr. Mathews moved that the constitutional rule be suspended, and the bill read a third time now.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Cole, Collins, Compton, Conley, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Matthews, McCarty, McGaughey, Paige, Peelle, Perigo, Priest, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—81.

Mr. Askren voting in the negative.

So the constitutional rule was suspended.

House Bill No. 557. A bill to authorize the courts in certain cases of partition of lands which are situate partly in the State of Indiana and partly in any adjoining State, to appoint commissioners to meet other commissioners appointed by the courts of such adjoining State and divide such land.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Branyan, Butler, Cary, Carr, Carson, Chawner, Collins, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Monroe, Freeman, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harris, Hatfield, Hauss, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, Lockhart, Mathews, Merriman, McCarty, Pelle, Perigo, Priest, Rea, Reno, Riley, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—69.

Mr. Askren voting in the negative.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed, with the accompanying amendments, the following bill, to-wit :

Engrossed House Bill No. 322. A bill to authorize and provide for the erection of a new State House, and for matters incident thereto.

And the same is respectfully returned to the House for its concurrence in said amendments.

Mr. Priest moved that House Bill No. 322 be taken up for the purpose of considering the Senate amendments thereto.

Which was agreed to, and the amendments were read.

Mr. Carlton moved that the House concur in the amendments, and moved the previous question.

The motion for the previous question was not seconded by the House.

The question recurring on the motion to concur, Mr. Branyan moved that further consideration of the amendments be postponed until 2 o'clock, P. M.

Mr. Kennedy of Rush moved to lay Mr. Branyan's motion to postpone upon the table.

Upon which motion, Messrs. Hulet and Branyan demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Bumgarner, Butler, Cary, Carr, Carson, Chawner, Cole, Copeland, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Harris, Harper, Hatfield, Hauss, Highway, Hosmer, Houghton, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Lanham, Little, Lockhart, Mathews, Merriman, Moorman, McGaughey, Oglebay, Paige, Peelle, Priest, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thomson of Miami, Wells, Zimmerman and Mr. Speaker—52.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Austin, Benz, Branyan, Carlton, Coffman, Collins, Compton, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Foster of Allen, Fromm, Gossman, Hall, Henderson, Hulet, Johnson of Carroll, Johnson of Dearborn, Langdon, Leeper, Lehman, Madden, McCarty, Perigo, Rea, Reno, Spencer, Stewart, Thompson of Elkhart, Thompson of Howard, Whitehead, Yaryan and Zehring—39.

So the motion to lay upon the table prevailed.

Mr. Marsh was granted leave of absence until to-morrow.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following bills, to-wit :

Engrossed House Bill No. 502. A bill to legalize certain acts of the Board of Trustees of the town of Williamsport, county of Warren, in levying a tax upon the taxables of said town for the year 1874.

Engrossed House Bill No. 105. A bill to provide for the removal of rails and plank fencing from overflowed lands.

Engrossed House Bill No. 235. A bill to enable boards of underwriters incorporated by or under the laws of the State of Indiana, to establish and maintain a fire patrol.

Engrossed House Bill No. 376. A bill to prescribe certain powers and duties of County Commissioners, Township Trustees, City Councils and Trustees of towns in relation to elections, etc.

Also, Engrossed House Bill No. 483. An act defining vagrancy and providing punishment therefor, with amendments, and the same is respectfully returned to the House for its concurrence in said amendments, and the same is respectfully returned to the House.

Also, Engrossed Senate Bill No. 335. An act legalizing the acts of the Board of Commissioners of Miami county, Indiana, incorporating the town of Ridgeview, Miami county.

Engrossed Senate Bill No. 336. An act to provide for the election of supervisors of roads, etc., and the same are respectfully submitted to the House for its action thereon.

Consideration of the Senate amendments to House Bill No. 322 was resumed.

The question recurring upon the motion to concur in the amendments.

Mr. Johnson, of Dearborn, moved that the bill and amendments be indefinitely postponed.

Upon which motion, the ayes and noes were demanded by Messrs. Johnson of Dearborn and Hulet.

Those who voted in the affirmative were Messrs. Ashby, Askren, Austin, Benz, Coffman, Cook, Cooley, Copeland, Crumpacker, Dannettell, Foster of Allen, Freeman, Hall, Harper, Hauss, Hulet, Johnson of Dearborn, Langdon, Lanham, Madden, Oglebay, Perigo, Rea, Reno, Stewart, Thompson of Elkhart, Whitehead, Yaryan, Zehring and Zimmerman—30.

Those who voted in the negative were Messrs. Adams, Albert, Ames, Baxter, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Cole, Collins, Compton, Craft, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Hatfield, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Leeper, Lehman, Little, Lockhart, Mathews, Merri-man, Moorman, McCarty, McGaughey, Paige, Peelle, Priest, Riley,

Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Wells and Mr. Speaker—59.

So the motion to postpone indefinitely did not prevail.

The following Engrossed Senate Amendments to Engrossed House Bill No. 322, were then read.

Engrossed Senate Amendments to Engrossed House Bill No. 322.

Amend by inserting after the word "commissioner," in line 10 of section 1, the following: "Such board shall be appointed by the Governor within such time as he may deem best, not later than September 1, 1877.

Amend by striking out of lines 28, 29 and 30, of section 1, the words "without the express authority of the Grand Assembly therefor."

Amend by striking out the word "have," in line 10 of section 2, and insert in lieu thereof the words "cause to be."

Amend by adding to section 2, the following: "To be paid on itemized statement, sworn to by the claimant."

Amend by adding after the word "contemplated," in line 35 of section 3, the following: "The State of Indiana hereby accepts the offer made by the Board of Commissioners of Marion county, to furnish rooms for the General Assembly, and the order of such Board of Commissioners in furnishing such rooms is hereby legalized."

Amend by inserting after the word "St. Louis," in line 65 of section 4, the word "Louisville."

Amend by striking out the word "amend," in line 19 of section 5, and insert in lieu thereof the word "annul."

Amend by adding to section 5 the following: "The contracts shall be so let that the State shall not be required to pay in any one year, including all other necessary expenses, more than eighty per cent. of the tax levy for such year for the building of the State House: *Provided*, There may be added thereto any money remaining in the Treasury from the tax levy of any preceding year, collected for building the State House."

Amend by adding to section 6 the following: "In any plan and specifications accepted, the architect shall be required to, and shall guarantee that each and every part of the building shall be perfect and complete in itself, and sufficient to accomplish the purpose for which it is intended as fully and completely as it is made to appear, or represented in the plan or declarations of the architect; and he shall be required to give bond, with acceptable securities, in

the penal sum of one hundred thousand dollars, conditioned that said plan shall be complete and perfect for the purpose designed and intended, and that the building shall be fully completed and finished as a whole in every part for and within the price and cost estimated and fixed by such architect, and which price or cost shall be stated in his proposition, or submission of a plan and specifications. And it shall be further understood and agreed, that no extra work or material shall be necessary to fully complete the building than that in the estimates set forth ; and should any be required, that the architect shall do such work and furnish such material at his own cost, and furnish the work complete for the price estimated by such architect."

Amend by adding to section 7 the following : "All contracts, for any purpose connected with the building, where the amount exceeds \$500, shall be regularly passed upon by the Board in session, and shall be recorded by the Secretary in a book kept for that purpose, and a copy shall be made out and certified to by the Secretary, and delivered to the other party of the contract, and until such delivery, no contract shall be valid or binding on either party ; and the Secretary shall retain, in proper files, all vouchers, statements of account and other papers of value or importance to the Commissioners, the contractors, or the State."

Amend by adding to section 10 the following : "And the supervision of the erection of such building as the architect thereof."

Amend by adding to section 11 the following : "And the proceeds of the tax herein levied, is hereby appropriated to the use of the State House Commissioners, as herein before provided."

The question being now upon concurring in the amendments, Messrs. Carlton and Endsley demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ames, Baxter, Branyan, Bumgarner, Cary, Carlton, Carr, Carson, Chawner, Cole, Collins, Compton, Craft, Davis, Elwell, Endsley, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Guthrie, Harris, Harper, Hatfield, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Leeper, Lehman, Little, Lockhart, Mathews, Merriman, Moorman, McCarty, McGaughey, Paige, Peelle, Priest, Riley, Sailors, Scott, Smith, Spencer, Swayzee, Thomas, Thompson of Howard, Thomson of Miami, Wells and Mr. Speaker—61.

Those who voted in the negative were Messrs. Albert, Ashby,

Askren, Austin, Benz, Coffman, Cook, Cooley, Copeland, Crum-
 packer, Dannettell, Foster of Allen, Freeman, Hall, Hauss, John-
 son of Dearborn, Langdon, Lanham, Madden, Oglebay, Perigo,
 Rea, Reno, Stewart, Thompson of Elkhart, Whitehead, Yaryan,
 Zehring and Zimmerman—29.

So the amendments were concurred in, and the Principal Clerk
 of the House was ordered to inform the Senate thereof.

Mr. Adams moved that the vote be reconsidered by which the
 amendments were concurred in.

Which motion, on Mr. Lehman's motion, was laid upon the
 table.

The following message was received from the Senate by its Sec-
 retary, Mr. Buchanan.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-
 tives that the Senate has adopted the following concurrent resolu-
 tion, to-wit:

Resolved by the Senate the House of Representatives concurring,
 That this session of the General Assembly will adjourn *sine die* on
 Thursday, March 15th, and that a committee of two on the part
 of the Senate and two on the part of the House be appointed to
 wait upon the Governor and notify him of the passage of this res-
 olution, that the Legislature may receive any communication he
 may have to make before its final adjournment.

The joint committee on enrolled bills submitted the following
 report:

MR. SPEAKER:

Your committee on enrolled bills respectfully report that we
 have compared Enrolled Acts, House of Representatives, Nos. 60,
 344, 454, 559 and 485 with the engrossed bills, and find the same
 correctly enrolled.

The committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your committee on enrolled bills respectfully report that we have
 compared Enrolled Acts Nos. 238 and 465 with the engrossed bills,
 and we find the same correctly enrolled.

On motion by Mr. Collins, the House adjourned.

AFTERNOON SESSION,

TUESDAY, March 13, 1877.

The House met, with the Speaker in the chair.

The Speaker announced that he had signed Enrolled Acts of the House Nos. 559, 454, 344, 60 and 485.

Also, Enrolled Acts of the Senate Nos. 18 and 15.

Mr. Hall moved that the concurrent resolution of the Senate, with reference to adjournment, be taken up.

The Speaker ordered a call of the House.

Those answering to their names were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Collins, Compton, Cook, Copeland, Crumpacker, Dannettell, Elwell, Endsley, Foster of Allen, Freeman, Fromm, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Koontz, Lanham, Leeper, Lehman, Little, Lockhart, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Oglebay, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Elkhart, Wells, Whitehead, Yaryan, Zimmerman and Mr. Speaker—71.

By consent, further proceedings under the call were dispensed with.

The question recurring on the motion of Mr. Hall.

Mr. Copeland moved the previous question, which was seconded by the House, and the main question ordered.

The ayes and noes were demanded by Messrs. Hall and Freeman.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carr, Chawner, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Freeman, Fromm, Grubbs, Guthrie, Hall, Harper, Hatfield, Hauss, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Lockhart, Madden, Merriman, Moorman, Morgan, Oglebay, Paige, Perigo, Rea, Reno, Riley, Scott, Smith,

Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zimmerman and Mr. Speaker—63.

Those who voted in the negative were Messrs. Adams, Austin, Bumgarner, Carlton, Carson, Coffman, Cole, Collins, Compton, Craft, Davis, Endsley, Garver, Girton, Gossman, Harris, Henderson, Hulet, Lehman, McGaughey, Peelle, Priest, Spencer, Swayzee, Thomson of Miami and Yaryan—26.

So the motion was agreed to.

The question being upon the adoption of the concurrent resolution.

Messrs. Hall and Reno demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ashby, Askren, Benz, Bumgarner, Butler, Carr, Chawner, Compton, Cook, Cooley, Copeland, Crumpacker, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Freeman, Grubbs, Guthrie, Hall, Harper, Hatfield, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Madden, Mathews, Merriman, Moorman, Morgan, Oglebay, Paige, Perigo, Rea, Reno, Riley, Scott, Smith, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zimmerman and Mr. Speaker—58.

Those who voted in the negative were Messrs. Adams, Ames, Austin, Baxter, Bumgarner, Carlton, Carson, Coffman, Cole, Collins, Craft, Davis, Endsley, Fromm, Garver, Girton, Gossman, Harris, Hauss, Henderson, Hulet, Leeper, Lockhart, McCarty, McGaughey, Peelle, Priest, Sailors, Spencer, Swayzee, Thomson of Miami and Yaryan—33.

So the concurrent resolution was adopted.

Mr. Thompson of Elkhart, moved that the vote by which the resolution was adopted, be reconsidered.

Mr. Lanham moved to lay the motion to reconsider upon the table.

Which was not agreed to.

The question being on the motion to reconsider.

Messrs. Langdon and Hall demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Baxter, Bumgarner, Cary, Carlton, Carson, Coffman, Conley, Cooley, Craft, Davis, Endsley, Fromm, Garver, Girton, Gossman, Harris, Hatfield, Hauss, Henderson, Houghton, Hulet, Johnson of

Dearborn, Kennedy of Rush, Leeper, Lehman, Lockhart, Madden, Mathews, Moorman, Morgan, McCarty, McGaughey, Peelle, Priest, Sailors, Spencer, Thompson of Howard, Thomson of Miami and Yaryan—42.

Those who voted in the negative were Messrs. Ashby, Askren, Austin, Benz, Butler, Carr, Chawner, Collins, Compton, Conley, Copeland, Crumpacker, Dannettell, Elwell, Foster of Allen, Foster of Monroe, Freeman, Grubbs, Guthrie, Hall, Harper, Highway, Hosmer, Hubbard, Johnson of Carroll, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Little, Merriman, Oglebay, Paige, Perigo, Rea, Reno, Riley, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Wells, Whitehead, Zimmerman and Mr. Speaker—48.

So the motion to reconsider did not prevail.

On motion of Mr. Craft, the Senate amendments to House Bill No. 483 were taken up.

Mr. Ashby moved that the amendments be laid upon the table. Which was not agreed to.

On Mr. Craft's motion the House refused to concur in the amendments.

The Principal Clerk was directed to inform the Senate of the action of the House.

By consent, Mr. Adams introduced House Bill No. 560. A bill authorizing the Governor, Auditor and Treasurer of State to make a temporary loan to meet deficiency of the revenue and to make payment of temporary loans.

Mr. Adams moved that the constitutional rule be suspended, the bill read the second time by title, considered engrossed, read a third time by sections and put upon its passage.

The Speaker called Mr. Peelle to the chair.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Askren, Branyan, Bumgarner, Carlton, Carr, Carson, Chawner, Coffman, Collins, Compton, Cooley, Davis, Elwell, Endsley, Foster of Monroe, Girton, Gossman, Harris, Hatfield, Hauss, Henderson, Hulet, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Koontz, Leeper, Lehman, Mathews, McCarty, McGaughey, Oglebay, Paige, Peelle, Priest, Spencer, Thompson of Miami and Mr. Speaker—40.

Those who voted in the negative were Messrs. Ames, Ashby, Austin, Baxter, Benz, Butler, Cary, Cole, Cook, Copeland, Craft, Dannettell, Foster of Allen, Freeman, Garver, Grubbs, Guthrie, Hall, Harper, Highway, Hubbard, Johnson of Carroll, Kimmell, Langdon, Lanham, Little, Lockhart, Merriman, Moorman, Morgan, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zehring and Zimmerman—46.

So the constitutional rule was not suspended, and the bill passed to a second reading on to-morrow.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to communicate to the House of Representatives the following resolution of the Senate, to-wit:

Resolved, That the House be requested to return to the Senate House Bill No. 483, with the amendments of the Senate, for the purpose of correcting the engrossed amendments made by the Senate.

Mr. Craft moved to reconsider the vote by which the House non-concurred in the Senate amendments to House Bill No. 483.

Which was agreed to.

Mr. Craft moved that the resolution of the Senate, requesting the return of House Bill No. 483, be adopted.

Which was agreed to.

Mr. Lehman offered the following resolution:

Resolved, That the committee of ways and means be instructed to report within one hour, on House Bill No. 552.

Mr. Scott moved to lay the resolution upon the table.

Upon which motion Messrs. Lehman and Johnson of Carroll demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Ames, Ashby, Austin, Baxter, Branyan, Butler, Cary, Carr, Carson, Chawner, Cole, Conley, Cook, Cooley Copeland, Dannettell, Foster of Allen, Freeman, Garver, Grubbs, Guthrie, Hall, Harper, Hatfield, Highway, Kennedy of Union, Kimmell, Langdon, Lanham, Little, Merriman, Moorman, Morgan, Perigo, Rea, Reno, Riley, Sailors, Scott,

Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zehring, Zimmerman and Mr. Mr. Speaker—50.

Those who voted in the negative were Messrs. Adams, Albert, Askren, Benz, Carlton, Coffman, Collins, Craft, Davis, Elwell, Endsley, Foster of Monroe, Girton, Gossman, Hauss, Henderson, Hubbard, Hulet, Johnson of Carroll, Johnson, of Dearborn, Kennedy of Rush, Koontz, Leeper, Lehman, Mathews, McCarty, McGaughey, Paige, Peelle, Priest, Spencer, Thomson of Miami and Yaryan—34.

So the motion to lay upon the table prevailed.

Mr. Overmyer moved that when the House adjourn, it be until 7:30 P. M.

The ayes and noes being taken on the demand of ten members.

Those who voted in the affirmative were Messrs. Albert, Ames, Ashby, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Carson, Chawner, Coffman, Cole, Compton, Conley, Cook, Cooley, Craft, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Henderson, Highway, Houghton, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Little, Madden, Mathews, Merriman, Moorman, Morgan, McGaughey, Oglebay, Paige, Peelle, Perigo, Rea, Reno, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Wells, Whitehead, Zehring and Mr. Speaker—71.

Those who voted in the negative were Messrs. Adams, Askren, Austin, Collins, Copeland, Dannettell, Davis, Foster of Allen, Gossman, Johnson of Dearborn, Lehman, Priest, Spencer, Stewart and Zimmerman—15.

So the motion prevailed.

The following message was received from the Senate, by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed House Bill No. 16. A bill to provide record books for Justices of the Peace.

Also, Engrossed House Bill No. 483. An act defining vagrancy, and providing punishment therefor, with amendments thereto.

And the same is herewith returned to the House of Representatives for its concurrence therein.

Engrossed House Bill No. 194. A bill to provide for the disposition of the surplus dog tax in the hands of township trustees.

And the same are herewith returned to the House.

Mr. Morgan offered the following resolution :

Resolved, That the Speaker of the House be, and he is hereby authorized to draw a warrant in favor of the Hon. E. T. Lane, a member of this House, for his per diem for the full number of days of the present called session, and on said warrant draw the money therefor, and transmit to Mrs. Lane at Bainbridge, Indiana.

Which was adopted.

Mr. Copeland moved that the House do now adjourn.

Which was not agreed to.

Mr. Cole moved that the House take up Senate Bill No. 335.

Which was agreed to, and the bill was read a first time.

Mr. Foster of Allen moved that the bill be laid upon the table.

Which was not agreed to.

Mr. Cole moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections and put upon its passage.

The ayes and noes being taken under the constitution.

Those who voted in the affirmative were Messrs. Adams, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Chawner, Cole, Collins, Conley, Cook, Cooley, Copeland, Craft, Endsley, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hubbard, Johnson of Carroll, Johnson of Dearborn, Kennedy of Union, Kimmell, Langdon, Lanham, Little, Mathews, Morgan, McGaughey, Oglebay, Peelle, Rea, Scott, Smith, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Whitehead, Yaryan, Zimmerman and Mr. Speaker—48.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Askren, Austin, Benz, Carlton, Davis, Elwell, Foster of Allen, Girton, Gossman, Hauss, Haughton, Kennedy of Rush, Koontz, Lehman, Madden, Merriman, Moorman, McCarty, Perigo, Reno, Spencer, Stewart, Swayzee and Wells—28.

So the constitutional rule was not suspended.

The following Engrossed Senate Amendments to House Bill No. 483, were taken up and concurred in.

Engrossed Senate amendments to House Bill No. 483:

Amend by striking out all after the enacting clause, and insert the following in lieu thereof:

Section 1. Any person, male or female, who shall have arrived at years of discretion, who shall be found without any fixed residence, and without any visible means of support, or idling away their time and making no effort to procure employment, or who, being able bodied and without means of support, and living idly, shall fail or refuse to labor for compensation when labor is offered, or who shall be wandering about from place to place with no certain place of abode and no sufficient means of support, and shall be living without labor or employment; or who shall be found loitering or idling about tippling houses, or beer houses, or out buildings, or bawdy houses, or houses of bad repute, or lodging or idling around sheds, or stables, or market houses, or lumber yards, or other unusual and improper places for orderly and industrious persons to be, without being engaged in some useful employment there, such person having no visible employment, may be interrogated by any police or peace officer, and if such persons shall fail or refuse to give a satisfactory account of themselves, sufficient to relieve them of reasonable suspicion of being vagrants, such persons may be taken into custody and be by such officer taken before any mayor or justice of the peace for examination; and if on examination it be proved that such person is subject to any of the charges above specified, or shall fail to satisfactorily show on oath or otherwise that he or she has means of support, or in good faith was seeking employment, and is entitled to pursue such effort for labor, such person shall be adjudged a vagrant by such mayor or justice.

Section 2. Any male or female person who shall be the keeper or proprietor or exhibitor of any gaming table or devise, or gamblers' implements, or who shall be an assistant or attendant on any gaming table or apparatus, or in any gambling house, shall be deemed a gambler.

Section 3. Any person who, for the purpose of gaming with cards, or otherwise, travels about from place to place, or shall frequent any place where gambling is permitted, shall be deemed a professional gambler.

Section 4. Any person who shall be found resorting to any trick

or device to procure money, or induce another person to engage in any game, chance or hazzard, by which money or anything of value may be gained or lost, such as the Mexican puzzle, patent safe, straps, thimble and balls, pocketbook dropping, or any other plan or device of like character or import, shall be deemed and known as a pigeon dropper.

Section 5. Any female who shall so conduct herself as to be recognized and known as a courtesan, or shall frequent or live in houses of ill fame; or associate with women of bad character for chastity, or at a house where men of bad character frequent or visit; or is known to be guilty of fornication for hire, shall be deemed and known as a female prostitute.

Section 6. Any male persons who shall frequent houses of ill fame, or associate with females known or reputed as prostitutes; or frequent gambling houses with females; or be engaged in or about a house of prostitution, shall be known as and deemed to be a pimp.

Section 7. Any person who shall be guilty of any of the offences specified in sections 2, 3, 4 and 5 of this act, may be arrested by any police or peace officer and taken before a mayor or justice of the peace on suspicion and without warrant; and on being charged on oath by such officer, may be held in custody and be examined and tried on such charge, on warrant to be issued by such mayor or justice, on which examination such arrested person shall be allowed to testify on his or her own behalf.

Section 8. Any person adjudged a vagrant under section 1 of this act, may be fined in any sum not exceeding two dollars, and if committed for failure to pay such fine and costs, may be required to work out the same on the streets or in the work house in the town or city where they shall be committed, at the rate of fifty cents per day; and if such person refuse to work, being physically able to work shall be fed on bread and water only until they consent to work.

Section 9. Any person convicted of being a professional gambler, under sections 2 and 3 of this act, may be fined in any sum not less than twenty-five nor more than one hundred dollars for each offense; and it shall be lawful for the officers to seize and destroy all gaming apparatus found in any building kept for gaming purposes.

Section 10. Any person convicted of being a pigeon dropper, under section 4 of this act, may be fined in any sum not less than

two nor more than two hundred dollars for each offense, and may be imprisoned in the county jail for any term not exceeding ninety days.

Section 11. Any person who shall be convicted of being a prostitute, under section 5 of this act, may be fined in any sum not less than five nor more than fifty dollars, and may be sent to any work-house or city bridewell or prison, in case of conviction in a city, for any period not exceeding thirty days.

Section 12. Any person convicted of being a pimp, under section 6 of this act, may be fined in any sum not less than ten nor more than one hundred dollars, and imprisoned in the jail not exceeding sixty days: and in all cases contemplated in this act, it shall be lawful for the court to order that such persons so convicted shall be required to work in the bridewell, or work-house, and if a male, in addition, on the public streets, as the case may be, there being a bridewell or work-house.

Section 13. It shall be competent and lawful at all times for the police or peace officers in any town or city to visit all places where such officers have reason to believe gaming apparatus is kept, or gambling is permitted or carried on, or where prostitution or other unlawful practice is carried on or permitted, and if the evidence of such unlawful practice is found there, or exists, may arrest all persons found inhabiting or frequenting there, and may seize all apparatus for gaming or other unlawful purpose there found and destroy the same; and to hold and charge such persons before any mayor or justice under any of the provisions of this act; and penalties may be inflicted as in this act is provided.

Section 14. This act shall not be construed to repeal any other statute, unless they clearly conflict, but as cumulative to other statutes relating to the same subjects.

Section 15. An emergency is declared to exist requiring this act to take effect at once, and the same shall be in force from and after its passage.

The following executive communication was received from His Excellency, Governor Williams:

The Honorable, the Speaker of the House of Representatives:

The Governor has the honor to respectfully inform the House of Representatives that he has this day approved and signed House enrolled bills numbered and entitled as follows:

No. 41. An act declaring the effect of the repeal of statutes.

No. 53. An act authorizing the appointment of students to Purdue University, by the boards of commissioners of each county, and to provide for the admittance of such scholars, and defining their privileges therein.

No. 70. An act to legalize the election held in the year 1875, in the town of Eaton, Delaware county, Indiana, and to legalize the official acts of the board of trustees of said town for said year; and to legalize the acts of all other officers of said corporation for said year under "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852; and to legalize all by-laws, rules, regulations and proceedings of said board of trustees, and said other officers, adopted in pursuance thereof.

No. 75. An act limiting the eligibility to the office of township trustee.

No. 88. An act to amend section 2 of "An act concerning enclosures, trespassing animals and partition fences," approved June 4, 1852.

No. 115. An act to repeal "An act to ascertain the location of the boundary line between the State of Indiana and Kentucky above and near Evansville, and making the same evidence in any dispute, and declaring an emergency;" and to declare void the survey and other acts of commissioners provided for by said act.

No. 191. An act to amend sections 4, 6 and 7 of an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such court, and for the compensation of such reporter," approved March 13, 1875.

And that he has caused said acts to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, March 12, 1877.

Mr. Chawner moved that House Bill No. 549 be taken up and put upon its passage.

Which was agreed to.

House Bill No. 549. A bill to amend section 3 of an act entitled, "An act to regulate and secure the sale of spirituous liquors and malt and other intoxicating liquors; to limit the license fee to be charged by cities and towns; providing penalties for intoxication,

and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, and all laws, or parts of laws, coming in conflict with the provisions of this act, providing penalties for violating the provisions thereof, and declaring an emergency.

Was read a third time.

Mr. Lehman moved that the bill be laid upon the table.

Upon which motion Messrs. Chawner and Lehman demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Ashby, Askren, Austin, Benz, Carlton, Coffman, Collins, Conley, Cook, Cooley, Dannettell, Davis, Foster of Allen, Gossman, Hauss, Henderson, Hosmer, Houghton, Hulet, Johnson of Carroll, Lehman, Madden, Merriman, McCarty, McGaughey, Paige, Perigo, Rea, Reno, Stewart, Whitehead and Yaryan—33.

Those who voted in the negative were Messrs. Baxter, Bumgarner, Butler, Cary, Carr, Chawner, Cole, Copeland, Craft, Crumacker, Elwell, Foster of Monroe, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Highway, Hubbard, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Little, Matthews, Moorman, Morgan, Peelle, Riley, Sailors, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Zehring, Zimmerman and Mr. Speaker—45.

So the motion to lay upon the table did not prevail.

The Speaker announced the appointment of Messrs. Peelle and Lehman as the committee upon the part of the House to wait upon the Governor and inform him of the action of the General Assembly with reference to adjournment.

The Speaker announced that he had signed Enrolled Acts of the House Nos. 328 and 465.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit :

Engrossed House Bill No. 499. A bill to enable the Superintendent of Public Instruction and the Auditor of Spencer county to re-open the account between Spencer county and the State for

the purpose of correcting errors in the principal of the school funds held in trust by Spencer county.

And the same is herewith returned to the House.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills to-wit :

Engrossed House Bill No. 182. A bill to require railroads to appoint an agent in each county in this State through which the same may run on whom service of process may be made, and providing for the mode of trial and punishment of the same for failing to appoint such agents.

Engrossed House Bill No. 175. A bill providing for the construction of fish ladders over the dams across the St. Joseph river.

And the same are herewith returned to the House.

The committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills respectfully report that they have compared the enrolled acts, H. R. Nos. 322, 194, 105 and 235, with the engrossed acts, and we find the same correctly enrolled.

The committee on enrolled bills also submitted the following report :

MR. SPEAKER :

Your committee on enrolled bills respectfully report that we have compared Enrolled Acts Nos. 376, 502 and 16, with the Engrossed Acts, and we find the same correctly enrolled.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following acts, to-wit :

Enrolled Acts House of Representatives, numbered as follows : 344, 454, 559, 485, 60, 465 and 238.

And the same are respectfully returned to the House.

I am also directed by the Senate to submit to the House of

Representatives, for the signature of the Speaker thereof, the following act, to-wit :

Enrolled Act No. 52, Senate of Indiana. An act to provide for giving notice of pending suits, attachments, levies and liens affecting real estate in certain cases.

And the same is herewith submitted.

Also, that he has signed the following Enrolled Acts, Senate of Indiana, viz : Nos. 55 and 18.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives, that he has signed the following acts, to-wit : Enrolled Acts, House of Representatives, numbered as follows : 235, 105, 194, 322, 16, 502 and 376.

And the same are herewith returned to the House.

The Speaker announced that he had signed House Enrolled Acts Nos. 376, 502 and 16 ; also, Enrolled Senate Act No. 52.

The joint committee on enrolled bills, submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills respectfully report that we have on this 13th day of March, 1877, delivered to the Governor for his signature, the following enrolled acts, viz :

Enrolled Acts, House of Representatives, Nos. 238, 465, 60, 559, 454, 485 and 344.

The joint committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills have this day presented to the Governor for his signature, Enrolled Senate Bill No. 52.

The joint committee on enrolled bills submitted the following report :

MR. SPEAKER :

Your joint committee on enrolled bills have this day presented to the Governor for his signature, Enrolled Senate Bills Nos. 18 and 55.

The committee on enrolled bills submitted the following report.

MR. SPEAKER :

Your joint committee on enrolled bills respectfully report, that we have, on this 13th day of March, 1877, delivered to the Governor for his signature, the following Enrolled Acts, House of Representatives, namely: Nos. 376, 502, 16, 322, 194, 105, 235.

On motion by Mr. Lehman, the House adjourned until 7:30 P. M.

NIGHT SESSION.

TUESDAY, March 13, 1877.

The House met with the Speaker in the chair.

On motion by Mr. Peelle, Senate Joint Resolution No. —. A resolution touching the claim of Solomon Claypool and W. R. Harrison.

Was taken up and read.

Mr. Hall moved the following amendment to the joint resolution: Amend by adding the following: "*Be it further Resolved*, That the Governor and said State officers be directed to examine the claim of Benton county for reimbursement for her extraordinary expenditures in the prosecution and conviction of James L. McCullough for the murder of William C. Morgan, and report to the next General Assembly what portion, if any, of such claim should, in equity, be paid by the State of Indiana."

The question being on the adoption of the amendment.

Mr. Peelle moved to lay it upon the table.

Which was not agreed to.

The ayes and noes being demanded upon the adoption of the amendment by Messrs. Moorman and Harper.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Coffman, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Elwell, Endsley, Foster of Monroe, Freeman, Garver, Girton, Gossman, Grubbs, Guthrie, Hall, Harper, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kimmell, Koontz, Langdon, Leeper, Little, Oglebay, Paige,

Peelle, Perigo, Priest, Scott, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thomson of Miami, Wells, Whitehead, Zehring, Zimmerman and Mr. Speaker—65.

Those who voted in the negative were Messrs. Conley, Davis, Foster of Allen, Fromm, Hatfield, Johnson of Dearborn, Kennedy of Union, Lauham, Lehman, Mathews, Merriman, Moorman, McCarty, Reno, Riley, Smith, Spencer, Thompson of Howard, Viehe and Yaryan—20.

So the amendment was agreed to.

The question recurring on the resolution as amended, Messrs. Moorman and Thompson demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Branyan, Bumgarner, Butler, Carey, Carlton, Carr, Carson, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cooley, Copeland, Craft, Crumpacker, Elwell, Endsley, Foster of Monroe, Garver, Girton, Guthrie, Hatfield, Henderson, Highway, Houghton, Johnson of Carroll, Kennedy of Rush, Koontz, Langdon, Lanham, Leeper, Little, Mathews, Paige, Peelle, Priest, Riley, Scott, Thompson of Elkhart, Thomson of Miami, Wells, Whitehead, Zehring and Mr. Speaker—51.

Those who voted in the negative were Messrs. Askren, Benz, Cook, Dannettell, Davis, Foster of Allen, Freeman, Fromm, Gossman, Harper, Hauss, Hosmer, Hubbard, Hulet, Johnson of Dearborn, Kennedy of Union, Kimmell, Merriman, Moorman, McCarty, Oglebay, Perigo, Reno, Smith, Spencer, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Yaryan and Zimmerman—32.

So the joint resolution passed.

The question being, shall the title as read stand?

Mr. Hall moved the following amendment to the title:

I move to amend the title so as to read as follows: "A joint resolution touching the claims of Solomon Claypool, W. R. Harrison and the claim of Benton county.

Which was agreed to.

Mr. Yaryan, from the committee on ways and means, submitted the following report:

MR. SPEAKER:

Your committee of ways and means, to whom was referred House Bill No. 652, have had the same under consideration and direct me to return the same to the House for its consideration.

The Speaker called Mr. Langdon to the chair.

Mr. Overmyer offered the following amendment to the bill :

Amend by striking out all of said section after the word "provided," in line 16, and inserting instead the words, "that if there shall not be sufficient money in the treasury for the purpose of paying the temporary loan debt which falls due in April, 1878, the said officers of the State are authorized and empowered to make temporary loans for the purpose of procuring money to make payment of said debt, which falls due as aforesaid :

Amend by inserting the following as section 4. "That an act entitled an act to amend section 1 of an act entitled 'an act authorizing the Governor, Auditor and Treasurer of State to make a temporary loan,' approved March 10, 1873, approved March 12, 1875, be and the same is hereby repealed.

Which amendments were adopted.

Mr. Overmyer moved that the bill be considered engrossed, read a third time and put upon its passage.

Which was agreed to, and House Bill No. 552, a bill authorizing and empowering the Governor, Auditor and Treasurer of State to pay the temporary loan debt heretofore contracted, and to make temporary loans for that purpose, was read the third time, with the amendments thereto.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Austin, Baxter, Benz, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Conley, Cook, Cooley, Copeland, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Garver, Girton, Gossman, Grubbs, Hall, Harper, Hatfield, Hauss, Henderson, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Mathews, Merriman, Moorman, McCarty, McGaughey, Paige, Pelle, Perigo, Priest, Riley, Scott, Spencer, Thomas, Thompson of Howard, Thomson of Miami, Viehe, Wells, Whitehead, Zehring and Mr. Speaker—75.

Those who voted in the negative were Messrs. Askren, Freeman, Guthrie, Reno, Smith, Stewart, Swayzee, Thompson of Elkhart and Zimmerman—9.

So the bill passed.

The question being, shall the title as read stand?

Mr. Grubbs moved the following amendment to the title of the bill, to read as follows :

An act authorizing and empowering the Governor, Auditor and Treasurer of the State of Indiana to pay the temporary loan debt, and make a temporary loan for the purpose of paying the temporary loan falling due April 1, 1878, or so much thereof, as may be necessary, and repealing all laws heretofore enacted providing for temporary loans.

Which was adopted by consent.

The Speaker returned to the chair.

By consent, Mr. Grubbs, from the committee on judiciary, submitted the following report :

MR. SPEAKER :

Your committee on judiciary, to which was referred Engrossed Senate resolution No. 9, being a joint resolution proposing amendment to Article 13 of the Constitution of the State of Indiana, have had the same under consideration, and I am directed to report said joint resolution back, with the recommendation that it be adopted.

The report was concurred in, and Engrossed Senate Joint Resolution No. 9, being a joint resolution proposing amendment to Article 13 of the Constitution of the State of Indiana.

Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Austin, Baxter, Branyan, Bumgarner, Butler, Cary, Carr, Chawner, Coffman, Freeman, Garver, Gossman, Grubbs, Guthrie, Hatfield, Hubbard, Hulet, Koontz, Langdon, Lanham, Lehman, Little, Merriman, Moorman, McCarty, Peelle, Scott, Swayzee, Thomas, Viehe, Zehring and Mr. Speaker—35.

Those who voted in the negative were Messrs. Ashby, Benz, Carlton, Claypool, Collins, Compton, Conley, Cook, Copeland, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Hall, Harper, Hauss, Henderson, Highway, Hosmer, Houghton, Johnson of Carroll, Kennedy of Union, Madden, Mathews, McGaughey, Perigo, Reno, Riley, Smith, Spencer, Stewart, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Wells, Whitehead and Zimmerman—40.

So the joint resolution was lost.

By consent, Mr. Wells moved to take up House Bill No. 272, with the amendments thereto by the committee on roads.

Which was agreed to.

House Bill No. 272. A bill providing for constructing and repairing roads and highways, defining the duties of township trustees, electing road supervisors and defining their duties and other matters connected therewith, levying a road tax, repealing all conflicting laws, and declaring an emergency.

Which was read with the amendments thereto.

Mr. Gossman moved that the amendments be laid upon the table.

Which was not agreed to.

Mr. Hall moved the following amendments to the amendments:

I move to amend section 1 by striking out the word "general" in line 1, and inserting the word "April" in lieu thereof.

Amend section 8 by striking out the word "in" in line 3, and inserting in lieu thereof the word "between," and also, by striking out the words "May, June, September or" in lines 3 and 4, and inserting the words "April and" in lieu thereof.

Amend section 10 by adding these words, "and shall require all persons of the same district desiring to work out their road tax to work on the same day, or as nearly so as practicable"

Amend section 11 by striking out all before the word "repairs" in line 3, and insert in lieu thereof the words "Whenever there shall be road funds applicable thereto, and any road or roads in his township may need."

Amend by striking out the words "trustee and road" in line 3 of section 26.

Amend by adding in section 10, after the word "act," "and such person shall be entitled to receive credit for each day's work thus performed, with driver and two-horse team, two dollars and fifty cents, and driver and one-horse team one dollar and seventy-five cents."

The question being on the adoption of the amendments to the amendment.

Mr. Mathews moved that the amendments to the amendment be laid upon the table.

Which was agreed to.

Mr. Foster of Alien moved that the amendments be indefinitely postponed.

Which was agreed to.

On motion by Mr. Craft the following Senate amendment to the title of House Bill No. 483 was taken up and concurred in :

“An act defining vagrancy and other offenses therein specified, providing penalties, authorizing arrests of suspected persons without warrants, providing methods of examination, authorizing search of places where unlawful practices are carried on, and arrest of inmates without warrant, and conferring certain powers and jurisdiction on policemen and other peace officers, and mayors and justices; declaring it a cumulative statute and emergency, and containing other provisions pertinent to the subject matter of the act.”

SENATE BILLS ON THIRD READING.

Engrossed Senate Bill No. 334. A bill to amend sections 1, 2 4 and 5 of an act entitled “An act to divide the State into circuits for judicial purposes, fixing the time of holding the courts therein, abolishing the court of common pleas, and transferring the business thereof to the circuit court, and providing for the election of judges and prosecuting attorneys in certain cases,” approved March 6, 1873, and creating the Thirty-ninth Judicial Circuit, providing for the appointment of a judge therefor, and repealing all laws and parts of laws inconsistent therewith, and declaring an emergency, approved March 5, 1875.

Was read a first time.

Mr. Carr moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections and put upon its passage.

The ayes and noes being taken under the constitution.

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Branyan, Bumgarner, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Conley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Foster of Monroe, Fromm, Gossman, Grubbs, Guthrie, Hall, Harper, Hatfield, Highway, Hosmer, Houghton, Hubbard, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Langdon, Lanham, Leeper, Lehman, Little, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Whitehead, Zehring, Zimmerman and Mr. Speaker—67.

No member voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Gossman, Grubbs, Hall, Harper, Hatfield, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Mathews, Merriman, Moorman, McCarty, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Scott, Smith, Spencer, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Zehring, Zimmerman and Mr. Speaker—67.

No member voting in the negative.

So the bill passed.

The question being, shall the title of the bill stand as read?

It was so ordered.

Engrossed Senate Bill No. 335. An act legalizing the acts of the Board of Commissioners of Miami county, Indiana, incorporating the town of Ridgeview, Miami county, Indiana.

Was read a third time.

Mr. Adams moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Baxter, Benz, Branyan, Butler, Cary, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Cook, Cooley, Copeland, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Grubbs, Guthrie, Hall, Harper, Hatfield, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Lanham, Leeper, Lehman, Mathews, Merriman, Moorman, McGaughey, Oglebay, Paige, Peelle, Perigo, Reno, Riley, Scott, Smith, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Zehring, Zimmerman and Mr. Speaker—67.

So the constitutional rule was suspended and the bill read a second time by title and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Adams, Ames, Ashby, Askren, Baxter, Benz, Bumgarner, Butler, Carlton, Carr, Chawner, Claypool, Coffman, Collins, Compton, Cook, Cooley, Craft, Crumpacker, Dannettell, Davis, Elwell, Endsley, Foster of Allen, Foster of Monroe, Fromm, Gossman, Grubbs, Guthrie, Hall, Harper, Hatfield, Henderson, Highway, Hosmer, Houghton, Hubbard, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Leeper, Lehman, Mathews, Meriman, Moorman, McGaughey, Oglebay, Paige, Peelle, Perigo, Riley, Scott, Smith, Stewart, Thomas, Thompson of Elkhart, Thompson of Howard, Thomson of Miami, Viehe, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—69.

Those who voted in the negative were Messrs. Branyan, McCarty and Spencer—3.

So the bill passed.

The question being, shall the title as read stand?

It was so ordered.

Mr. Peelle, from the select committee, appointed to wait upon the Governor, submitted the following report:

MR. SPEAKER:

Your special committee, appointed to wait upon the Governor and inform him that the House had adopted the Senate concurrent resolution, fixing Thursday, March 15 as the day the General Assembly would adjourn *sine die*, and inquire if he had any further communication to make to the House, beg leave to report that they waited upon the Governor, and he informed us that he had no further communication to make to the House at present.

Engrossed Senate Bill No. 336. An act fixing the time for the election of supervisors of roads, and repealing all laws in conflict therewith.

Was read a first time.

Mr. Kennedy of Rush moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

Mr. Craft moved that the bill be indefinitely postponed.

Which was agreed to.

Senate Bill No. 32 was taken up, and read a third time.

Mr. Freeman moved that the bill be laid on the table.

Upon which motion Messrs. Albert and Riley demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Askren, Baxter, Benz, Bumgarner, Butler, Carr, Chawner, Collins, Compton, Cook, Cooley, Copeland, Dannettell, Davis, Foster of Allen, Freeman, Grubbs, Hall, Hauss, Henderson, Highway, Hosmer, Houghton, Johnson of Carroll, Kimmell, Koontz, Langdon, Leeper, Lehman, Little, McCarty, McGaughey, Oglebay, Paige, Perigo, Reno, Thompson of Elkhart, Thompson of Howard, Thompson of Miami, Viehe, Wells, Whitehead, Zehring and Mr. Speaker—44.

Those who voted in the negative were Messrs. Albert, Ames, Ashby, Branyan, Carlton, Claypool, Coffman, Craft, Elwell, Endsley, Hubbard, Johnson of Dearborn, Kennedy of Rush, Kennedy of Union, Peelle, Riley, Scott, Smith, Stewart, Swayzee, Thomas and Zimmerman—23.

So the bill was laid upon the table.

Mr. Scott moved that the House do now adjourn.

Upon which motion the ayes and noes were demanded by ten members.

Those who voted in the affirmative were Messrs. Ames, Askren, Baxter, Butler, Cary, Carr, Chawner, Claypool, Cooley, Copeland, Crumpacker, Dannettell, Elwell, Fromm, Grubbs, Guthrie, Hall, Harper, Highway, Kennedy of Rush, Kennedy of Union, Kimmell, Koontz, Langdon, Lanham, Lehman, Little, Moorman, McGaughey, Reno, Scott, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Whitehead, Zimmerman and Mr. Speaker—38.

Those who voted in the negative were Messrs. Adams, Albert, Ashby, Benz, Branyan, Carlton, Coffman, Collins, Compton, Conley, Craft, Davis, Foster of Allen, Freeman, Gossman, Hauss, Henderson, Houghton, Hubbard, Johnson of Carroll, Johnson of Dearborn, Leeper, Lehman, Mathews, McCarty, Oglebay, Paige, Peelle, Perigo, Riley, Spencer, Stewart, Thomson of Miami, Viehe, Wells and Zehring—36.

Before the announcement of the result of the vote on the motion to adjourn was made by the Speaker, the Secretary of the Senate,

Mr. Buchanan, appeared at the bar of the House and delivered the following message from the Senate:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed, with amendment, the following bill, to-wit:

Engrossed House Bill No. 552. A bill authorizing the Governor, Secretary and Treasurer of State, to pay the temporary loan debt falling due April 1, 1878, etc. *

And the same is herewith returned to the House for its concurrence therein.

So the motion to adjourn prevailed, and the Speaker declared the House adjourned.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

WEDNESDAY MORNING,

MARCH 14, 1877.

The House met with the Speaker in the chair.

The Journal of yesterday's proceedings was read and approved.

Mr. Yaryan was granted leave to withdraw Senate Bill No. 80 from the files.

Mr. Freeman was granted leave to withdraw House Bills Nos. 246 and 247, and House Joint Resolution No. 2, from the files.

Mr. Mathews was granted leave to withdraw House Bill No. 57 from the files.

Mr. Smith was granted leave to withdraw House Bill No. 424 from the files.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to submit to the House of Representatives for the signature of the Speaker thereof, the following acts and resolutions, to-wit:

Enrolled Act No. 335, Senate of Indiana. An act legalizing the acts of the Board of Commissioners of Miami county, Indiana, incorporating the town of Ridgeview, Miami county.

Enrolled Joint Resolution No. 20, Senate of Indiana. A joint resolution touching the claims of Solomon Claypool, W. R. Harrison, and the claim of Benton county.

And the same are herewith submitted.

Mr. Grubbs offered the following resolution :

Resolved, That the State Librarian be and he is hereby authorized to sell the Revised Statutes in use by the members of the House of Representatives during the present session, at the rate of five dollars per set, and that he cover the amounts received from such sales into the State Treasury, taking the receipt of the Treasurer therefor.

Mr. Johnson of Carroll offered the following amendment to the resolution :

I move to amend by striking out the word "five," and inserting "four."

Mr. Chawner offered the following amendment to the amendment:

I move to amend by striking out "four dollars," and inserting "six dollars per set."

Mr. Crumpacker moved that the resolution, amendment, and the amendment to the amendment, be laid upon the table.

Upon which amendment Messrs. Branyan and McCarty demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Askren, Branyan, Carlton, Coffman, Cook, Cooley, Copeland, Craft, Crumpacker, Foster of Allen, Foster of Monroe, Gossman, Guthrie, Harris, Hosmer, Hubbard, Hulet, Johnson of Carroll, Kennedy of Union, Langdon, Merriman, McCarty, McGaughey, Peelle, Perigo, Reno, Riley, Scott, Viehe, Yaryan, Zimmerman and Mr. Speaker—32.

Those who voted in the negative were Messrs. Albert, Ames, Austin, Baxter, Benz, Bumgarner, Butler, Cary, Carr, Chawner, Claypool, Cole, Collins, Compton, Conley, Davis, Elwell, Endsley, Freeman, Garver, Grubbs, Hall, Harper, Hatfield, Hauss, Highway, Houghton, Johnson of Dearborn, Kennedy of Rush, Koontz, Lanham, Leeper, Little, Lockhart, Mathews, Moorman, Paige, Smith, Stewart, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Warrum, Wells, Whitehead and Zehring—47.

So the motion did not prevail.

Mr. Lehman moved the previous question, which was not seconded by the House.

Mr. Craft again moved the previous question, which was seconded by the House, and the main question ordered.

Mr. Kennedy of Rush moved that the amendment to the amendment be laid upon the table.

Which was agreed to.

The question recurring upon the adoption of the amendment, Messrs. Branyan and Benz demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Austin, Benz, Cary, Carson, Collins, Compton, Davis, Endsley, Garver, Hatfield, Hulet, Johnson of Carroll, Kennedy of Rush, Kennedy of Union, Koontz, Mathews, Paige, Thomas and Thompson of Elkhart—19.

Those who voted in the negative were Messrs. Albert, Ashby, Askren, Baxter, Branyan, Calton, Carr, Chawner, Claypool, Cook, Copeland, Craft, Elwell, Foster of Allen, Foster of Monroe, Freeman, Gossman, Grubbs, Guthrie, Hall, Harris, Harper, Hauss, Highway, Hosmer, Kimmell, Lanham, Leeper, Lehman, Little, Lockhart, Merriman, Moorman, McCarty, Oglebay, Peelle, Perigo, Reno, Riley, Sailors, Smith, Stewart, Swayzee, Thompson of Howard, Viehe, Warrum, Wells, Whitehead, Yaryan, Zehring, Zimmerman and Mr. Speaker—53.

So the amendment was not agreed to.

The question recurring upon the adoption of the resolution.

Messrs. Reno and Branyan demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Albert, Ames, Askren, Austin, Baxter, Benz, Cary, Carson, Chawner, Claypool, Collins, Compton, Craft, Davis, Elwell, Endsley, Freeman, Garver, Grubbs, Guthrie, Hall, Harris, Harper, Hatfield, Hauss, Houghton, Hulet, Johnson of Carroll, Kennedy of Rush, Koontz, Lanham, Leeper, Lockhart, Mathews, Moorman, McCarty, Paige, Peelle, Smith, Swayzee, Thomas, Thompson of Elkhart, Thompson of Howard, Warrum, Wells, Whitehead and Zehring—47.

Those who voted in the negative were Messrs. Ashby, Branyan, Bumgarner, Carlton, Cole, Copeland, Crumpacker, Foster of Allen, Foster of Monroe, Gossman, Hosmer, Hubbard, Kennedy of Union, Kimmell, Langdon, Little, Merriman, Oglebay, Perigo, Reno, Riley, Sailors, Stewart, Viehe, Yaryan, Zimmerman and Mr. Speaker—27.

So the resolution was adopted.

The following executive communication was received from His Excellency, Governor Williams :

The Honorable the Speaker of the House of Representatives :

The Governor has the honor to respectfully inform the House of Representatives that he has this day approved and signed House Enrolled Bills numbered and entitled as follows :

No. 98. An act to regulate the hanging of doors to the entrances to theaters, opera houses, public halls, museums, churches, colleges, seminaries and school buildings.

No. 103. An act to provide for taxing as costs the expense of procuring transcripts and exemplifications of records.

No. 138. An act requiring gravel roads, turnpike and macadamized roads, and plank road companies to prepare, file and have recorded in the proper Recorder's office certain annual statements, prescribing penalties for the violation of its provisions and to repeal an act therein named.

No 148. An act giving the employes of corporations a lien for their work and labor upon the corporate property of such corporation and the earnings thereof, together with the mode of enforcing the same, and repealing all laws in conflict therewith.

No. 279. An act to amend section 54 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 3, 1873.

And that he has caused said acts to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Secretary.

EXECUTIVE DEPARTMENT, March 13, 1877.

Mr. Rea was granted leave of absence.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to submit to the House of Representatives for the signature of the Speaker thereof, the following act and resolution, to-wit :

Enrolled Act No. 334, Senate of Indiana. An act to amend sections 1, 2, 4 and 5 of an act entitled "An act to divide the state into circuits for judicial purposes, etc."

Enrolled Joint Resolution No. 9, Senate of Indiana. A joint resolution proposing amendment to article 13 of the Constitution.

And the same are herewith submitted.

The committee on enrolled bills submitted the following report:

MR. SPEAKER:

Your joint committee on enrolled bills respectfully report that we have compared Enrolled Acts, House of Representatives, Nos. 175, 483, 182 and 499 with the engrossed bills, and find them correctly enrolled.

Mr. Cole introduced House Joint Resolution No. 30. A joint resolution suspending certain appropriations.

Which was read.

Mr. Kennedy of Rush moved that the joint resolution be laid upon the table.

Upon which motion Messrs. Cole and Branyan demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Adams, Albert, Ashby, Askren, Branyan, Carlton, Chawner, Claypool, Craft, Davis, Elwell, Endsley, Foster of Monroe, Garver, Guthrie, Harris, Hatfield, Hubbard, Hulet, Kennedy of Rush, Kennedy of Union, Koontz, Langdon, Lanham, Leeper, Lehman, Little, Madden, Mathews, Merriman, Moorman, McCarty, Pelle, Perigo, Stewart, Swayzee, Thomas, Thompson of Howard, Viehe, Warrum, Yaryan and Zehring—42.

Those who voted in the negative were Messrs. Austin, Baxter, Benz, Bumgarner, Carson, Cole, Collins, Compton, Cook, Copeland, Crumpacker, Dannettell, Foster of Allen, Freeman, Grubbs, Hall, Harper, Hauss, Highway, Hosmer, Johnson of Carroll, Kimmell, Reno, Riley, Sailors, Smith, Thompson of Elkhart, Wells, Whitehead, Zimmerman and Mr. Speaker—31.

So the motion prevailed.

The Speaker announced that he had signed Enrolled Acts of the House Nos. 175, 499, 182 and 483.

Mr. Foster of Allen was granted leave to withdraw House Bills Nos. 494, 278, 277, 199 and 63, and Senate Bill No. 26 from the files.

The following bills were returned to the files by the various committees :

House Bill No. 522, and Engrossed Senate Bill No. 188.

Mr. Davis offered the following concurrent resolution :

WHEREAS, This General Assembly has authorized the erection of an addition to the State officers buildings.

AND WHEREAS, It has also authorized the erection of a State House, which will compel temporary provisions to be made for the State library, therefore,

Resolved by the House of Representatives, the Senate concurring, That officers entrusted with the erection of the addition aforesaid, arrange with the Supreme Court, if possible, for the accommodation of the State library in the second story of the State officers building. Which was adopted.

Mr. Guthrie offered the following concurrent resolution :

WHEREAS, The Southern Penitentiary is running in debt each year, and requiring large appropriations, from the fact that there is no remunerative employment for all the convicts ; and

WHEREAS, The State House Bill has now become a law, and in the building of said house there will be a vast amount of labor in quarrying stone, and in common labor connected therewith, for several years to come, in which convict labor could be profitably employed ; and

WHEREAS, There is a constantly growing demand for Indiana stone, outside of uses for a State House building, which we believe will always furnish an increasing demand for the hard blue and soft finishing limestones of Indiana ; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a committee of three be appointed by the Speaker of the House, and a committee of two by the President of the Senate, with instructions to visit the Southern Penitentiary, and the stone fields of Jennings, Monroe and Lawrence counties, and to report to the next General Assembly upon the expediency of removing the said Penitentiary to one of said stone fields, or upon the expediency of dividing the same and locating a portion in each of said counties : *Provided*, That said commission shall be allowed the same pay and mileage as members of the General Assembly are now allowed : *And Provided further*, That they shall not be allowed to exceed ten days in which to make such examinations and reports : *And Provided still further*, That the State Geologist shall be invited to accompany

said commission as an advisory member, and shall receive the same compensation and mileage as other members of the board, but shall not have any voice in the decision of said board.

The resolution was not adopted.

The Senate joint resolution, in reference to the claim of Clark county for a return of taxes under the illegal assessment of 1869, was taken up and read.

The question being, shall the joint resolution pass?

Upon the call of the roll, no quorum was found present and voting.

On motion by Mr. Lehman, the House adjourned.

AFTERNOON SESSION,

WEDNESDAY, March 14, 1877.

The House met, with the Speaker in the chair.

Mr. Peelle offered the following resolution, which was adopted :

WHEREAS, There are now in the custody of the State Librarian about six hundred sets of the reports of the Adjutant General of the State, containing the regimental histories and rosters of Indiana soldiers during the late war ; and

WHEREAS, A large quantity of said reports are in boxes in the cellar, and others stowed in other places ; and

WHEREAS, Such reports are in danger of waste and destruction for want of room for their proper care ; and

WHEREAS, Such reports are of value only as books of reference to those interested ; therefore, in order to place said reports as far as possible in the reach of all citizens, be it

Resolved by the House of Representatives, the Senate concurring, That the Speaker of the House appoint two members of the House, and the President of the Senate appoint two members of the Senate, who, with the State Librarian shall constitute a committee with power to distribute all but one hundred sets of such reports to such public libraries, colleges, and other literary repositories of the State, and to such members of the present General Assembly, or honorably discharged Indiana soldiers as may desire them : *Provided that*

no expense or charge shall be made against the State in such distribution.

Mr. Lehman offered the following resolution :

Resolved, That the Pages of the House each be allowed fifty cents per diem extra for their services during the special session.

Which was not agreed to.

Mr. Lanham offered the following resolution :

WHEREAS, The Southern Penitentiary is continually running in debt, from the fact that there is not sufficient labor at the present location for the profitable employment of the convicts ; and

WHEREAS, There is a growing demand for the Indiana hard blue and soft finishing limestones, which we believe would, in future, furnish an abundance of remunerative employment for all of our convicts ; therefore, be it

Resolved by the House of Representatives, the Senate concurring therein, That a commission of two be appointed by the Speaker of the House, and a commission of one be appointed by the President of the Senate, who, with the State Geologist, shall constitute a commission, who are hereby instructed to visit the Southern Penitentiary and the limestone fields of the State, and inquire into and report to the next General Assembly upon the expediency of removing said prison to some one or more of said stone fields : *Provided*, That the pay of said commission shall not exceed the per diem and mileage now allowed members of the General Assembly : *And Provided further*, That they shall not be allowed more than twenty days in which to make such investigations and reports.

The resolution was not agreed to.

The Speaker announced that he has signed Enrolled Senate Act No. 334, and Enrolled Senate Joint Resolution No. 9.

The Senate Joint Resolution pending on adjournment was again taken up.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were Messrs. Adams, Albert, Ames, Ashby, Askren, Austin, Benz, Butler, Cary, Carlton, Carr, Carson, Chawner, Coffman, Collins, Conley, Cook, Craft, Crum-packer, Davis, Foster of Allen, Foster of Monroe, Garver, Gossman, Grubbs, Hall, Harris, Harper, Hatfield, Hauss, Highway, Houghton, Hubbard, Hulet, Kimmell, Leeper, Lehman, Little, Lockhart, Marsh, Mathews, Moorman, Peelle, Perigo, Rea, Reno,

Stewart, Swayzee, Viehe, Warrum, Zimmerman and Mr. Speaker—52.

Those who voted in the negative were Messrs. Baxter, Claypool, Copeland, Johnson of Carroll, Kennedy of Rush, Lanham, Merriman, Riley, Smith, Thomas, Thompson of Elkhart, Thompson of Howard and Wells—13.

No quorum voting.

On motion by Mr. Lehman, the House adjourned until to-morrow at 10 o'clock, A. M.

(Approved.)

JOHN OVERMYER,
Speaker of the House of Representatives.

THURSDAY MORNING,

MARCH 15, 1877.

The House met, with the Speaker in the chair.

On motion by Mr. Carlton, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Collins offered the following resolution :

Resolved by the House, the Senate concurring, That the Secretary of State be and he is hereby directed to send each Senator and each Representative a copy of the journal of each House, and the acts of the regular and special sessions of 1877 as soon after the publication of the same as practicable.

Which was adopted.

Mr. Hauss, from the select committee on expenses and allowances for the present session, submitted the following report :

MR. SPEAKER :

Your select committee appointed under a resolution introduced by Mr. Hauss and adopted by the House, on the subject of the pay of the employes of the House, have had the matter under consideration, and respectfully report the following recommendations for allowances :

To J. C. Dunn, for thawing water pipes..... \$4 25

To T. Baker & Co., for rent of rooms for journal copying clerks.....	\$25 00
To Browning & Sloan, for comb and brush.....	4 50
To J. W. Jordan, for repairing locks.....	2 00
To George Huffman, for repairing door and lock.....	3 00
To Cyrus T. Nixon, Principal Clerk, and James W. Cole, Assistant Clerk, for indexing and superintending the printing of the journal of the special session, each.....	50 00

To the following clerks of the Principal and Assistant Clerks of the House, the sums set opposite their names :

B. B. Johnson.....	\$25 00
A. C. Johnson.....	25 00
Wm. H. Brown	25 00
Samuel Adams.....	25 00
W. H. Murray.....	25 00
Mr. Myers.....	25 00
John T. Cookus.....	25 00
W. R. Garver.....	25 00
Thad. Butler.....	25 00
John Ratcliff.....	25 00
Ely Hay.....	25 00
Frank White.....	12 50
J. A. Wilkins.....	12 50
Thos. Wiles.....	12 50
C. D. Denny.....	12 50
Frank Denny	12 50
A. L. Mason.....	12 50
To M. L. Johnson, Assistant Doorkeeper, for extra services.....	25 00
To Lewis Jenkins, for services as fireman for ten days.....	35 00
To M. E. Murphy, for services as gate-keeper, for ten days.....	35 00
To Sol. Hathaway, for services as gate-keeper, for three days	10 50
To Clara Shultz, for services as paper-folder, for ten days.....	35 00
To Wm. Russell, for services as spittoon-cleaner, for ten days	35 00
To J. C. Bland, for services as sweeper, for ten days.....	35 00
To Dan. Sullivan, for services as water-closet cleaner, for ten days.....	35 00

To L. S. Ayres & Co., for draping the Hall of the House in 'mourning.....	\$17 60
To L. D. Baldwin, M. L. Johnson and William Russell, each, for one day's extra services in cleaning the hall of the House after adjournment.....	5 00
To Willie Townsend, G. O. Cobb, Eddie Wright, Thomas A. Scott, Frank Wagner and Willie Sterrett, each, for ten days' services as Pages of the House.....	25 00
To A. B. Seibert, for cash paid for letter scales and post-office fixtures.....	2 00
To L. D. Baldwin, for cash paid for checks for coats.....	9 00
Which was concurred in.	

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following acts and resolution, to-wit: En. Senate Act No. 334, En. Senate Joint Resolution No. 9, En. House Acts Nos. 499, 182, 483 and 175, and the same are herewith returned to the House.

Mr. Lehman offered the following resolution :

Resolved, That John Ratliff, Samuel Adams, Benjamin B. Johnson, Thad. Butler and W. H. Murray, in addition to the amounts already allowed to them, are specially commended for their faithful services in discharge of their official duties as Clerks of this House.

Which was adopted.

Mr. Branyan offered the following resolution :

Resolved by the House of Representatives, the Senate concurring therein, That there be appointed a committee of two from each House of the General Assembly, to visit the Governor and learn whether or not he has any further communications to make to this Assembly, and report to this House at once.

Which was adopted.

The following Executive communication was received from His Excellency, Governor Williams :

To the Honorable, The Speaker of the House of Representatives:

The Governor has the honor to respectfully inform the House of Representatives that he has this day approved and signed House Enrolled Bills numbered and entitled as follows :

No. 16. An act to provide record books for Justices of the Peace.

No. 60. An act to amend section 1 of an act entitled "An act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in this State, and to enforce the collection of judgments rendered on account of the same, and to repeal all laws inconsistent therewith," approved March 4, 1863.

No. 105. An act to provide for the removal of rails and plank fencing from overflowed lands.

No. 194. An act to provide for the disposition of the surplus dog tax in the hands of Township Trustees.

No. 235. An act to enable boards of underwriters, incorporated by or under the laws of the State of Indiana, to establish and maintain a fire patrol.

No. 238. An act for the suppression of the traffic in and circulation of obscene literature, and prescribing punishment for its violation.

No. 322. An act to authorize and provide for the erection of a new State House, and for matters incident thereto.

No. 344. An act to amend section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for violation thereof," approved February 22, 1871.

No. 376. An act to prescribe certain powers and duties of county commissioners, township trustees, city councils and trustees of towns in relation to elections; also, prescribing certain powers and duties of inspectors and judges of elections, and penalties for frauds in the performance of their official duties, to prevent illegal and fraudulent voting, prescribing penalties for the violation of this act, and repealing an act entitled "An act repealing sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21 and 22 of an act entitled 'an act to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for the services of such officers,' approved March 11, 1867, and prescribing further duties of the officers of elections, and providing for the

appointment of the necessary officers and clerks for holding such elections," approved May 13, 1869.

No. 454. An act to enable farmers and citizens of any county in the State of Indiana to form voluntary associations for the purpose of insuring their property against losses by fire, and all other matters connected therewith, and enable them to sue and be sued by their corporate name.

No. 485. An act authorizing the acquisition of Green River Island, or to locate the true boundary line at said island.

No. 502. An act to legalize certain acts of the board of trustees of the town of Williamsport, county of Warren, in levying a tax upon the taxables of said town for the year 1874.

No. 559. An act to legalize and render valid the records of the Court of Common Pleas of the various counties in the State of Indiana.

No. 465. An act to legalize and encourage the enclosure of land subject to overflow, by incorporated associations; and providing for the organization of such associations, and prescribing their powers; and providing for the assessment and apportionment of the cost of such improvements, and expenses attending the same upon the lands improved and used for the purpose of cultivation enclosed thereby, and for the collection of such assessments; and prescribing the penalties for breaking or throwing down such fences, and declaring an emergency.

And that he has caused said acts to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY, Secretary.

EXECUTIVE DEPARTMENT, March 14, 1877.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House providing for the appointment of a committee of two on the part of each House of the General Assembly to wait upon the Governor and inquire if he has any further communication to make to this General Assembly, and the President has appointed upon such committee on the part of the Senate, Messrs. Hefron and Treat.

The Speaker appointed as the committee on the part of the House to wait upon the Governor, Messrs. Branyan and Freeman.

The Speaker laid before the House the following communication from the Secretary of State :

Mr. Speaker, and Gentlemen of the House of Representatives :

I am in receipt of your communication of the 9th, requesting me to furnish you with a statement of the amount of stationery, in value, drawn by the Clerk and Assistant Clerk during the late regular session. In complying with your communication, I submit the following :

The amount, in value, drawn by the Principal Clerk, was \$274.74. The amount drawn by the Assistant Clerk was \$158.23.

I am unable to give you the amount drawn by the Clerk and Assistant Clerk of the House for the session of 1875, as the accounts were not kept in this office, but in the office of the Auditor of State.

The purchases were made by the officers themselves, and not on requisition through this office.

I am, most respectfully, yours,

JOHN E. NEFF,

Secretary of State.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolutions, to-wit :

WHEREAS, The present General Assembly accepted the proposal of the Marion County Commissioners to use the Court House of said county in which to hold the sessions of the General Assembly that may occur during the construction of the new State House ; therefore, be it

Resolved by the Senate the House concurring therein, That the State Librarian be and is hereby instructed, in case of the tearing away of the present State House prior to the meeting of the next General Assembly, to have the desks, chairs and appurtenances belonging to and now used by both houses of the General Assembly placed in position at the Court House aforesaid, and that said Librarian shall make such desks, etc., serve the purpose of the State in said Marion County Court House.

Which was concurred in.

The following message was received from the Senate by its Secretary, Mr. Buchanan :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit :

Senate concurrent resolution on the subject of civil service reform :

WHEREAS, The partizan spoil system of civil service virtually declares that a President of the United States shall not, by appointment nor by any other means, call into the civil service of the General government, nor permit to remain therein, any citizen who by speaking, writing or voting shall have expressed any opposition to the election of such president, or to any measure or policy of his administration.

AND WHEREAS, A system of civil service supported by such a principle is unreasonable, unjust, not in harmony with the National Constitution, and never formed a part of any political platform ; therefore,

Resolved by the Senate and House of Representatives of the General Assembly of the State of Indiana, That the custom of distributing the public offices of the General Government exclusively among members of the successful party in a presidential election, and generally as rewards for partisan service is a deeply injurious and indefensible political usage, which ought to be publicly condemned by the voice of the people of the United States and abolished by their authority.

And the same is herewith submitted to the House for its concurrence therein.

The Senate concurrent resolution upon the subject of civil service reform was taken up and referred to the committee on Federal Relations.

Mr. Lehman offered the following resolution :

Resolved, That the thanks of this House are hereby tendered to the Commissioners of the county of Marion for the liberal offer, in offering two rooms in their Court House for the sessions of future Legislatures, during the erection of a new State House.

Which was adopted.

The following Senate message and concurrent resolution was taken up and the resolution concurred in:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House providing for the distribution of the Adjutant General's report.

Also that the Senate has adopted the following concurrent resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring,
That the Secretary of State be and he is hereby instructed to have the acts of the general and special sessions of the Legislature for the year 1877 published in one and the same volume; and that he have the journal of the Senate for the general and special sessions published in one volume.

The Speaker laid before the House the following statement of the Principal Clerk:

MARCH 13, 1877.

HON. JOHN OVERMYER,

Speaker of the House of Representatives:

SIR.—By an examination of the records of the Clerk of the Stationery and Printing Commission, I find that I have drawn by regular requisitions, as provided by the rules of the Commission, one hundred and thirteen dollars worth of stationery. There is, as will be seen by the communication of the Secretary of State, charged to me in his office, stationery to the amount of two hundred and seventy-four dollars, but a large portion of this I did not draw and knew nothing about until the reception of the Secretary's communication. For instance, on the first day of the session, and before any organization of the House had been accomplished, seventy-five dollars worth of stationery was placed in the House and went promiscuously to clerks, members, doorkeepers, or anybody who wanted it, but it was all charged to the Principal Clerk. The law requires the members to purchase their own stationery, but this they do not always do, and the result is the Principal Clerk furnishes them a great portion of what they use. Of course the Clerk would not and could not refuse them stationery when they ask for it. The engrossing and enrolling paper is drawn without requisitions directly from the office of the Secretary of State, and I think about forty dollars worth has been used for the legitimate use

of the Principal Clerk, making in all about one hundred and fifty dollars of stationery in value used at the Clerk's desk.

A number of years ago, from \$500 to \$2,000 worth of stationery was used at each session by the Principal Clerk, but by diligent care the amount has been cut down from year to year, until in 1873 it amounted to only about \$125. No information can be obtained as to the amount used in 1871 and 1875.

There has always been more or less dishonest waste of stationery, both as to the amount drawn and the prices charged the State for it, and my own impression is that the Principal and Assistant Clerk ought to be limited by law to an expenditure of \$150 each per session for stationery, and allowed to purchase wherever they could get it on the best terms for the State.

CYRUS T. NIXON, Principal Clerk.

The Speaker submitted the following report :

To the House of Representatives of the General Assembly of Indiana:

In obedience to the law the undersigned submits a detailed report of the warrants drawn by him during the special session in favor of members, officers and employes, showing the number of warrants drawn, the amount of each warrant and to whom payable; also, the aggregate amount of all warrants drawn in favor of each person, and the aggregate amount of all warrants drawn in favor of all persons.

JOHN OVERMYER,
Speaker of the House of Representatives.

MEMBERS.

March 12.	J. C. Adams, warrant.....	\$42 00
March 16.	J. C. Adams, warrant.....	18 00
Total		<u>\$60 00</u>

March 12.	Stephen Albert, warrant.....	\$42 00
March 16.	Stephen Albert, warrant.....	18 00
Total		<u>\$60 00</u>

March 12.	Samuel Ames, warrant.....	\$42 00
March 16.	Samuel Ames, warrant.....	18 00
Total		<u>\$60 00</u>

March 12.	F. W. Ashby, warrant.....	\$42 00
March 16.	F. W. Ashby, warrant.....	18 00
	Total	<u>\$60 00</u>
March 12.	Smith Askren, warrant.....	\$42 00
March 16.	Smith Askren, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	C. B. Austin, warrant.....	\$42 00
March 16.	C. B. Austin, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. R. Baxter, warrant.....	\$42 00
March 16.	J. K. Baxter, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	John Benz, warrant.....	\$42 00
March 16.	John Benz, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. C. Branyan, warrant.....	\$42 00
March 16.	J. C. Branyan, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Isaac Bumgarner, warrant.....	\$42 00
March 16.	Isaac Bumgarner, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	H. P. Butler, warrant.....	\$42 00
March 16.	H. P. Butler, warrant.....	18 00
	Total	<u>\$60 00</u>
March 12.	O. P. H. Cary, warrant.....	\$42 00
March 16.	O. P. H. Cary, warrant.....	18 00
	Total	<u>\$60 00</u>

March 12.	A. B. Carlton, warrant.....	\$42 00
March 16.	A. B. Carlton, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. P. Carr, warrant.....	\$42 00
March 16.	J. P. Carr, warrant.....	18 00
	Total.. ..	<u>\$60 00</u>
March 12.	James R. Carson, warrant.....	\$42 00
March 16.	James R. Carson, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	John Chawner, warrant.....	\$42 00
March 16.	John Chawner, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. C. Claypool, warrant.....	\$42 00
March 16.	J. C. Claypool, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	S. S. Coffman, warrant.....	\$42 00
March 16.	S. S. Coffman, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	U. D. Cole, warrant.....	\$42 00
March 16.	U. D. Cole, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. B. Collins, warrant.....	\$42 00
March 16.	A. B. Collins, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. M. Compton, warrant.....	\$42 00
March 16.	J. M. Compton, warrant.....	18 00
	Total	<u>\$60 00</u>

March 12.	William Conley, warrant.....	\$42 00
March 16.	William Conley, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. M. Cook, warrant.....	\$42 00
March 16.	J. M. Cook, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	E. Cooley, warrant.....	\$42 00
March 16.	E. Cooley, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. C. Copeland, warrant.....	\$42 00
March 16.	A. C. Copeland, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Harry Craft, warrant.....	\$42 00
March 16.	Harry Craft, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	T. Crumpacker, warrant.....	\$42 00
March 16.	T. Crumpacker, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	John Dannettell, warrant	\$42 00
March 16.	John Dannettell, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. W. Davis, warrant.....	\$42 00
March 16.	J. W. Davis, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	H. H. Elwell, warrant.....	\$42 00
March 16.	H. H. Elwell, warrant.....	18 00
	Total.....	<u>\$60 00</u>

March 12.	H. M. Endsley, warrant.....	\$42 00
March 16.	H. M. Endsley, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	T. J. Foster, warrant.....	\$42 00
March 16.	T. J. Foster, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	R. C. Foster, warrant.....	\$42 00
March 16.	R. C. Foster, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Wm. Freeman, warrant.....	\$42 00
March 16.	Wm. Freeman, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. F. Fromm, warrant.....	\$42 00
March 16.	J. F. Fromm, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Wm. Garver, warrant.....	\$42 00
March 16.	Wm. Garver, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	C. Girton, warrant....	\$42 00
March 16.	C. Girton, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. J. Gossman, warrant.....	\$42 00
March 16.	A. J. Gossman, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	G. W. Grubbs, warrant.....	\$42 00
March 16.	G. W. Grubbs, warrant.....	18 00
	Total.....	<u>\$60 00</u>

March 12.	A. Guthrie, warrant.....	\$42 00
March 16.	A. Guthrie, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. Hall, warrant	\$42 00
March 16.	A. Hall, warrant	18 00
	Total.....	<u>\$60 00</u>
March 12.	B. L. Harris, warrant.....	\$42 00
March 16.	B. L. Harris, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. J. Hatfield, warrant.....	\$42 00
March 16.	A. J. Hatfield, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. W. Houghton, warrant.....	\$42 00
March 16.	J. W. Houghton, warrant.....	18 00
	Total	<u>\$60 00</u>
March 12.	F. W. Hauss, warrant.....	\$42 00
March 16.	F. W. Hauss, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Edgar Henderson, warrant.....	\$42 00
March 16.	Edgar Henderson, warrant.....	18 00
	Total	<u>\$60 00</u>
March 12.	John D. Highway, warrant.....	\$42 00
March 16.	John D. Highway, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Samuel Harper, warrant.....	\$42 00
March 16.	Samuel Harper, warrant.....	18 00
	Total.....	<u>\$60 00</u>

March 12.	J. Hosmer, warrant.....	\$42 00
March 16.	J. Hosmer, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	C. S. Hubbard, warrant.....	\$42 00
March 16.	C. S. Hubbard, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	H. C. Hulet, warrant.....	\$42 00
March 16.	H. C. Hulet, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. L. Johnson, warrant.....	\$42 00
March 16.	J. L. Johnson, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	C. Johnson, warrant.....	\$42 00
March 16.	C. Johnson, warrant.. ..	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. M. Kennedy, warrant.....	\$42 00
March 16.	A. M. Kennedy, warrant	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. P. Kennedy, warrant.....	\$42 00
March 16.	J. P. Kennedy, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	O. Kimmell, warrant.....	\$42 00
March 16.	O. Kimmell, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. H. Koontz, warrant....	\$42 00
March 16.	J. H. Koontz, warrant.....	18 00
	Total... ..	<u>\$60 00</u>

March 12.	E. T. Lane, warrant	\$42 00
March 16.	E. T. Lane, warrant,.	18 00
	Total.....	<u>\$60 00</u>
March 12.	R. W. Langdon, warrant.....	\$42 00
March 16.	R. W. Langdon, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	James W. Lanham, warrant.....	\$42 00
March 16.	James W. Lanham, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	D. R. Leeper, warrant.....	\$42 00
March 16.	D. R. Leeper, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	C. O. Lehman, warrant.....	\$42 00
March 16.	C. O. Lehman, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	E. Little, warrant.....	\$42 00
March 16.	E. Little, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	H. J. Lockhart, warrant.....	\$42 00
March 16.	H. J. Lockhart, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Wm. H. Madden, warrant.....	\$42 00
March 16.	Wm. H. Madden, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. K. Marsh, warrant.....	\$42 00
March 16.	J. K. Marsh, warrant.....	18 00
	Total.....	<u>\$60 00</u>

March 12.	Claude Mathews, warrant.....	\$42 00
March 16.	Claude Mathews, warrant.....	18 00
	Total.....	<u>\$90 00</u>
March 12.	W. E. Merriman, warrant.....	\$42 00
March 16.	W. E. Merriman, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. A. Moorman, warrant.	\$42 00
March 16.	J. A. Moorman, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. W. Morgan, warrant.....	\$42 00
March 16.	J. W. Morgan, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. Morrison, warrant.....	\$42 00
March 16.	A. Morrison, warrant	18 00
	Total.....	<u>\$60 00</u>
March 12.	P. H. McCarty, warrant.....	\$42 00
March 16.	P. H. McCarty, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. E. McGaughey, warrant.....	\$42 00
March 16.	J. E. McGaughey, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	W. R. Oglebay, warrant.....	\$42 00
March 16.	W. R. Oglebay, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	John Overmyer, warrant.....	\$42 00
March 16.	John Overmyer, warrant.....	18 00
	Total.....	<u>\$60 00</u>

March 12.	A. E. Paige, warrant.....	\$42 00
March 16.	A. E. Paige, warrant.....	18 00
	Total	<u>\$60 00</u>
March 12.	S. J. Peelle, warrant.....	\$42 00
March 16.	S. J. Peelle, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Robert Perigo, warrant.....	\$42 00
March 16.	Robert Perigo, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	G. W. Priest, warrant.....	\$42 00
March 16.	G. W. Priest, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	D. Rea, warrant.....	\$42 00
March 16.	D. Rea. warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. H. Reno, warrant.....	\$42 00
March 16.	J. H. Reno, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	Z. T. Riley, warrant.....	\$42 00
March 16.	Z. T. Riley, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. L. Sailors, warrant.....	\$42 00
March 16.	J. L. Sailors, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. M. Scott, warrant.....	\$42 00
March 16.	A. M. Scott, warrant.....	18 00
	Total.....	<u>\$60 00</u>

March 12.	Joseph Smith, warrant.....	\$42 00
March 16.	Joseph Smith, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	D. J. Spencer, warrant.....	\$42 00
March 16.	D. J. Spencer, warrant.....	18 00
	Total.....	<u>60 00</u>
March 12.	L. W. Stewart, warrant.....	\$42 00
March 16.	L. W. Stewart, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	A. C. Swayzee, warrant.....	\$42 00
March 16.	A. C. Swayzee, warrant.....	18 00
	Total	<u>\$60 00</u>
March 12.	Daniel Thomas, warrant.....	\$42 00
March 16.	Daniel Thomas, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	J. E. Thompson, warrant.....	\$42 00
March 16.	J. E. Thompson, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	M. Thompson, warrant.....	\$42 00
March 16.	M. Thompson, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	W. H. Thomson, warrant.....	\$42 00
March 16.	W. H. Thomson, warrant.....	18 00
	Total.....	<u>\$60 00</u>
March 12.	F. W. Viehe, warrant.....	\$42 00
March 16.	F. W. Viehe, warrant.....	18 00
	Total.....	<u>\$60 00</u>

March 12.	J. F. Welborn, warrant.....	\$42 90
March 16.	J. F. Welborn, warrant.....	18 00
Total		<u>\$60 00</u>

March 12.	John Whitehead, warrant.....	\$42 00
March 16.	John Whitehead, warrant.....	18 00
Total.....		<u>\$60 00</u>

March 12.	S. T. Wells, warrant.....	\$42 00
March 16.	S. T. Wells, warrant.....	18 00
Total.....		<u>\$60 00</u>

March 12.	Noble Warrum, warrant.....	\$42 00
March 16.	Noble Warrum, warrant.....	\$18 00
Total.....		<u>\$60 00</u>

March 12.	John Yaryan, warrant.....	\$42 00
March 16.	John Yaryan, warrant.....	18 00
Total.....		<u>\$60 00</u>

March 12.	Wm. Zehring, warrant.....	\$42 00
March 16.	Wm. Zehring, warrant.....	18 00
Total.....		<u>\$60 00</u>

March 12.	J. C. Zimmerman, warrant.....	\$42 00
March 16.	J. C. Zimmerman, warrant.....	18 00
Total.....		<u>\$60 00</u>

Total for members.....	<u>\$6,000 00</u>
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EMPLOYEES.

March 12.	C. T. Nixon, warrant.....	\$42 00
March 16.	C. T. Nixon, warrant.....	18 00
March 16.	C. T. Nixon, warrant.....	50 00
Total.....		<u>\$110 00</u>

March 12.	Jas. W. Cole, warrant.....	\$42 00
March 16.	Jas. W. Cole, warrant.....	18 00
March 16.	Jas. W. Cole, warrant.....	50 00
Total.....		<u>\$110 00</u>

March 12.	L. D. Baldwin, warrant....	\$42 00
March 16.	L. D. Baldwin, warrant	18 00
March 16.	L. D. Baldwin, warrant	5 00
March 16.	L. D. Baldwin, warrant	9 00
Total.....		<u>\$74 00</u>

March 12.	Jno. Ratliff, warrant.....	\$35 00
March 16.	Jno. Ratliff, warrant.....	15 00
March 16.	Jno. Ratliff, warrant.....	25 00
Total.....		<u>\$75 00</u>

March 12.	Samuel Adams, warrant.....	\$35 00
March 16.	Samuel Adams, warrant.....	15 00
March 16.	Samuel Adams, warrant.....	25 00
Total.....		<u>\$75 00</u>

March 16.	C. D. Denny, warrant.....	\$12 50
Total.....		<u>\$12 50</u>

March 12.	Frank White, warrant.....	\$35 00
March 16.	Frank White, warrant.....	15 00
March 16.	Frank White, warrant.....	12 50
Total.....		<u>\$62 50</u>

March 12.	John A. Wilkins, warrant.....	\$35 00
March 16.	John A. Wilkins, warrant.....	15 00
March 16.	John A. Wilkins, warrant.....	12 50
Total.....		<u>\$62 50</u>

March 12.	Thad. Butler, warrant.....	\$35 00
March 16.	Thad. Butler, warrant.....	15 00
March 16.	Thad. Butler, warrant.....	25 00
Total.....		<u>\$75 00</u>

March 12.	W. H. Murray, warrant.....	\$35 00
March 16.	W. H. Murray, warrant.....	15 00
March 16.	W. H. Murray, warrant.....	25 00
Total.....		<u>\$75 00</u>

March 12.	E. G. Hay, warrant.....	\$35 00
March 16.	E. G. Hay, warrant... ..	15 00
March 16.	E. G. Hay, warrant.....	25 00
Total.....		<u>\$75 00</u>

March 12.	Frank Denny, warrant.....	\$35 00
March 16.	Frank Denny, warrant.....	15 00
March 16.	Frank Denny, warrant.....	12 50
Total.....		<u>\$62 50</u>

March 12.	Thomas Wiles, warrant.....	\$35 00
March 16.	Thomas Wiles, warrant.....	15 00
March 16.	Thomas Wiles, warrant.....	12 50
Total.....		<u>\$62 50</u>

March 12.	Ida L. Myers, warrant.....	\$35 00
March 16.	Ina L. Myers, warrant.....	15 00
March 16.	Ida L. Myers, warrant.....	25 00
Total.....		<u>\$75 00</u>

March 16.	A. L. Mason, warrant.....	\$25 00
Total.....		<u>\$25 00</u>

ASSISTANT CLERK'S EMPLOYES.

March 12.	James T. Bryer, warrant.....	\$35 00
March 16.	James T. Bryer, warrant.....	15 00

Total.....		<u>\$50 00</u>
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March 12.	C. C. Riley, warrant.....	\$35 00
March 16.	C. C. Riley, warrant.....	15 00

Total.....		<u>\$50 00</u>
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March 12.	B. B. Johnson, warrant.....	\$35 00
March 16.	B. B. Johnson, warrant.....	15 00
March 16.	B. B. Johnson, warrant.....	25 00

Total.....		<u>\$75 00</u>
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March 12.	A. C. Johnson, warrant.....	\$35 00
March 16.	A. C. Johnson, warrant.....	15 00
March 16.	A. C. Johnson, warrant.....	25 00

Total.....		<u>\$75 00</u>
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March 12.	J. T. Cookus, warrant.....	\$35 00
March 16.	J. T. Cookus, warrant.....	15 00
March 16.	J. T. Cookus, warrant.....	25 00

Total.....		<u>\$75 00</u>
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March 12.	W. R. Garver, warrant.....	\$35 00
March 16.	W. R. Garver, warrant.....	15 00
March 16.	W. R. Garver, warrant.....	25 00

Total.....		<u>\$75 00</u>
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March 12.	Wm. H. Brown, warrant.....	\$35 00
March 16.	Wm. H. Brown, warrant.....	15 00
March 16.	Wm. H. Brown, warrant.....	25 00

Total.....		<u>\$75 00</u>
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COMMITTEE CLERKS.

March 12.	W. Curry, warrant.....	\$35 00
March 16.	W. Curry, warrant.....	15 00
	Total.....	<u>\$50 00</u>

March 12.	M. A. Gilwick, warrant	\$35 00
March 16.	M. A. Gilwick, warrant	15 00
	Total.....	<u>\$50 00</u>

March 12.	S. B. Tibbetts, warrant.....	\$35 00
March 16.	S. L. Tibbetts, warrant.....	15 00
	Total	<u>\$50 00</u>

March 12.	T. L. Ewing, warrant.....	\$35 00
March 16.	T. L. Tibbetts, warrant.....	15 00
	Total.....	<u>\$50 00</u>

PRINCIPAL DOORKEEPER'S EMPLOYES.

March 12.	M. L. Johnson, warrant.....	\$35 00
March 16.	M. L. Johnson, warrant.....	15 00
March 16.	M. L. Johnson, warrant.....	25 00
March 16.	M. L. Johnson, warrant.....	5 00
	Total.....	<u>\$80 00</u>

March 12.	J. A. Gauntt, warrant.....	\$35 00
March 16.	J. A. Gauntt, warrant.....	15 00
	Total.....	<u>\$50 00</u>

March 12.	James Jordan, warrant.....	\$35 00
March 16.	James Jordan, warrant.....	15 00
March 16.	James Jordan, warrant.....	2 00
	Total.....	<u>\$52 00</u>

March 12.	A. B. Seibert, warrant.....	\$35 00
March 16.	A. B. Seibert, warrant.....	15 00
March 16.	A. B. Seibert, warrant.....	2 00
Total.....		<u>\$52 00</u>

March 12.	Clara Shultz, warrant.....	\$17 50
March 16.	Clara Shultz, warrant.....	7 50
March 16.	Clara Shultz, warrant.....	10 00
Total.....		<u>\$35 00</u>

March 12.	Wm. Russell, warrant.....	\$17 50
March 16.	Wm. Russell, warrant.....	7 50
March 16.	Wm. Russell, warrant.....	15 00
Total.....		<u>\$40 00</u>

March 12.	J. C. Bland, warrant.....	\$17 50
March 16.	J. C. Bland, warrant.....	7 50
March 16.	J. C. Bland, warrant.....	10 00
Total		<u>\$35 00</u>

March 12.	Daniel Sullivan, warrant.....	\$17 50
March 16.	Daniel Sullivan, warrant.....	7 50
March 16.	Daniel Sullivan, warrant.....	10 00
Total		<u>\$35 00</u>

PAGES.

March 12.	Willie Townsend, warrant.....	\$14 00
March 16.	Willie Townsend, warrant.....	11 00
Total.....		<u>\$25 00</u>

March 12.	G. O. Cobb, warrant.....	\$14 00
March 16.	G. O. Cobb, warrant.....	11 00
Total....		<u>\$25 00</u>

March 12.	Frank Wagner, warrant.....	\$14 00
March 16.	Frank Wagner, warrant.....	11 00
		<u>\$25 00</u>
March 12.	W. L. Sterrett, warrant	\$14 00
March 16.	W. L. Sterrett, warrant.....	11 00
	Total.....	<u>\$25 00</u>
March 12.	Thomas A. Scott, warrant	\$14 00
March 16.	Thomas A. Scott, warrant.....	11 00
	Total.....	<u>\$25 00</u>
March 12.	Eddie Wright, warrant.....	\$14 00
March 16.	Eddie Wright, warrant.....	11 00
	Total.....	<u>\$25 00</u>
March 16.	Lewis Jordan, warrant.....	\$35 00
	Total.....	<u>\$35 00</u>
March 16.	M. E. Murphy, warrant.....	\$35 00
	Total.....	<u>\$35 00</u>
March 16.	Sol. Hathaway, warrant.....	\$10 50
	Total.....	<u>\$10 50</u>
March 16.	Franklin Life Insurance Company, warrant for room rent.....	\$25 00
March 16.	T. Baker & Co., warrant for room rent.....	\$25 00
March 16.	Browning & Sloan, warrant for brushes and combs.....	4 50
March 16.	George Huffman, warrant for repair- ing locks.....	\$3 00

March 16. L. S. Ayres & Co., warrant for
mourning goods..... \$17 60

March 16. J. C. Dunn & Co., warrant for re-
pairing water pipes..... \$4 25

Grand total, eight thousand three hundred and ninety-five dollars and thirty-five cents, (\$8,395.35).

Mr. Koontz was granted leave to withdraw from the files House Bill No. 207, and to Mr. Hubbard to withdraw House Bill No. 408.

Mr. Yaryan offered the following resolution, which was adopted:

Resolved, That the Senate be requested to return to the House, Bills Nos. 360 and 475.

The following message was received from the Senate by its Secretary, Mr. Buchanan.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has concurred in the resolution of the House requesting the return to the House of Engrossed House Bills Nos. 360 and 475, and the same are herewith returned to the House.

Also, that the President of the Senate has appointed on the committee to direct the distribution of the Adjutant General's Reports, upon the part of the Senate, Messrs. Underwood and Skinner.

The Speaker appointed as the committee on the part of the House, to superintend the distribution of the Adjutant General's Reports, Messrs. Peelle and Mathews.

The following message was received from the Senate by its Secretary, Mr. Buchanan:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House, providing that a copy of the Journal of each House, and a copy of the Acts of the General and Special Sessions of the Fiftieth General Assembly, be furnished by the State Librarian to each member of this General Assembly.

Mr. Branyan, from the select committee appointed to wait upon the Governor, submitted the following report :

MR. SPEAKER :

We, the undersigned, members of the joint committee to wait upon the Governor to ascertain whether or not he had anything further to communicate to this General Assembly, beg leave to report that, in connection with the members on said committee from the Senate, we have waited upon the Governor, and that he informs us that he has no further communication to make to the House.

JAMES C. BRANYAN,
WM. FREEMAN.

Mr. Carson moved that the House do now adjourn *sine die*.

Pending which motion the Speaker delivered the following address :

Gentlemen of the House of Representatives :

Before closing the session by final adjournment, allow me to thank you, one and all, for the uniform kindness extended to me in my efforts to perform the duties of presiding officer. Our work for the 71 days of the regular and special sessions has been diligently performed. In that time 187 bills, many of them of great importance, passed this House. Of these only 78 were returned from the Senate. During the two sessions 95 Senate bills were received in the House. Of these 71 were passed and returned to the Senate, and the remaining 24 were all acted upon, save one. Of the 95 Senate bills received in the House, 15 were legalizing bills. Of the 187 bills passed by the House, 14 were legalizing bills. We have had little politics in our House during the session, and upon this we may congratulate ourselves ; for the discussion of party politics in the General Assembly sadly interferes with the transaction of the practical business of the people. Some measures have failed which many believed should have become laws, and there is the usual disappointment incident thereto. In advocating and in opposing measures here, I am satisfied that members of this House have acted for what they conceived to be the best interests of the people of our State. In the performance of duty here, as in the "hurly-burly" of life on every field, disappointment and discouragement, caused by unexpected opposition, by failure and by defeat, beset us continually. Let us cast aside forever the chagrin and bitterness of yesterday, to the end that we may vigorously enter on the new duties of to-day.

Let us depart from here as we have labored : thankful that we have so wrought that no future Assembly of the State will be compelled to sit in these dingy halls ; thankful that we have been able to agree on many things by which our constituents will be benefited ; forgetful of pet measures wherein we have failed ; forgetful of all supposed injustice done at any time, and remembering only the kindness, favor and courtesy extended by each one to all others on numberless occasions. And now wishing members, officers and employes happiness and success in life, I am ready to declare this House adjourned without day.

Mr. Lanham offered prayer, and the House adjourned without day.

(Approved.)

JOHN OVERMYER,

Speaker of the House of Representatives.

ATTEST :

CYRUS T. NIXON,

Principal Clerk.

JAMES W. COLE,

Assistant Clerk.

I N D E X .

ADAMS, JUSTUS C.—

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Appears and is sworn in.....	5
Motions by.....13, 14, 49, 61, 64, 198, 264, 296, 297, 303, 320, 326, 335, 442	442
	587, 621, 823, 956, 1028, 1099, 1171, 1199, 1202, 1219
Resolutions offered by.....	11, 15, 49, 51, 78, 92, 102, 128, 1022, 1105
Bills introduced by.....	17, 104, 150, 208, 296, 297, 434, 441, 442, 446, 793, 1202
Reports made by.....	21, 135, 375, 386, 487, 587
Petitions, remonstrances and claims, offered by.....	106, 296, 304, 305, 442, 451
	724, 797, 798, 887
Amendment offered by.....	918, 921, 1020
Leave of absence to.....	640
Committees, appointed to.....	13, 61, 64, 127, 476

ALBERT, STEPHEN—

Appears and is sworn in.....	4
Motions by.....	20, 225, 369, 387, 488, 500, 521, 527, 585, 669
Resolutions offered by.....	193
Bills introduced by.....	102, 198, 792
Petitions and remonstrances offered by.....	96, 314, 435
Leave of absence to.....	374
Committees appointed to.....	62, 64

AMES, SAMUEL—

Appears and is sworn in.....	5
Resolutions offered by.....	207, 437
Bills introduced by.....	793
Petitions, remonstrances and claims offered by.....	555
Leave of absence to.....	484
Committees appointed to.....	61, 63

ASHBY, F. W.—

Appears and is sworn in.....	5
Motions by.....	64, 387, 1202
Bills introduced by.....	63, 158, 212, 301, 841
Reports made by.....	176, 400, 401, 517, 554, 1188
Committees, appointed to.....	62, 63

ASKREN, SMITH—

Appears and is sworn in.....	4
Motions by.....	1101
Bills introduced by.....	290
Reports made by.....	247, 411, 524, 525, 529
Amendments offered by.....	900
Leave of absence to.....	115, 303, 580
Committees, appointed to.....	62, 63

AUSTIN, CHARLES B.—

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Appears and is sworn in	3
Motions by	464, 941, 985, 1170
Bills introduced by	53, 185, 426, 786
Reports made by	545, 546, 547, 816, 817
Leave of absence to	217, 269, 387, 1103
Committees, appointed to	62, 63, 87, 665

BAXTER, JAMES R.—

Appears and is sworn in	4
Bills introduced by	102, 204, 289, 290, 431, 792
Reports made by	165, 229, 235, 236, 302, 320, 321, 381, 415, 468, 537, 586 742, 743, 744, 792, 811, 812, 970, 972
Petitions and remonstrances offered by	798
Leave of absence to	138, 472
Committees appointed to	61, 62, 63

BENZ, JOHN—

Appears and is sworn in	4
Motions by	1130, 1159, 1168
Resolutions offered by	1002, 1190
Bills introduced by	94, 196, 284, 428, 791
Petitions, remonstrances and claims offered by	429, 790
Leave of absence to	374, 500
Committees appointed to	62, 63

BRANYAN, JAMES C.—

Appears and is sworn in	4
Motions by	19, 59, 99, 115, 133, 200, 233, 251, 269, 329, 331, 336, 358, 365 383, 402, 403, 407, 411, 413, 415, 423, 484, 502, 522, 523, 536, 598 715, 834, 864, 897, 906, 921, 1003, 1007, 1087, 1098, 1107, 1151 1187, 1195
Resolutions offered by	12, 101, 201, 1003, 1232
Bills introduced by	16, 18, 54, 74, 148, 205, 291
Reports made by	239, 360, 364, 381, 538, 756, 762, 763, 811, 844, 887, 954, 1257
Petitions and remonstrances offered by	436
Amendments offered by	50, 89, 132, 268, 270, 331, 407, 598, 919
Leave of absence to	110
Committees appointed to	61, 62, 1235

BUMGARNER, ISAAC—

Appears and is sworn in	4
Motions by	132
Resolutions offered by	189
Bills introduced by	194, 195, 361, 790
Reports made by	501, 765
Petitions and remonstrances offered by	147, 189
Amendments offered by	132
Leave of absence to	199
Committees appointed to	61, 64

BUTLER, H. P.—

Appears and is sworn in	6
Bills introduced by	109, 110, 212, 301
Petitions and remonstrances offered by	291
Leave of absence to	472
Committees appointed to	63

CARY, OLIVER H. P.—

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Appears and is sworn in.....	4
Resolutions offered by.....	1020
Bills introduced by.....	431
Reports made by.....	116
Petitions and remonstrances offered by.....	840
Leave of absence to.....	206, 293
Committees appointed to.....	61, 62

CARLTON, AMBROSE B.—

Appears and is sworn in.....	6
Motions by.....	65, 114, 135, 250, 258, 288, 304, 324, 333, 455, 507, 603, 615, 620 626, 630, 652, 656, 684, 688, 719, 725, 756, 854, 886, 895 922, 1082, 1134, 1150, 1151, 1156, 1172, 1194, 1230
Resolutions offered by.....	10, 113, 215, 237, 1029, 1111
Bills introduced by.....	16, 53, 82, 120, 161, 214, 283, 308, 455, 796
Reports by.....	139, 140, 166, 229, 230, 231, 233, 314, 317, 323, 359, 363, 440, 445 446, 460, 471, 493, 494, 495, 496, 525, 645, 678, 721, 725 733, 736, 737, 888, 899, 945, 957, 978, 993, 1171, 1172, 1182
Petitions, remonstrances and claims offered by.....	725, 840
Amendments offered by.....	603, 751, 914, 915, 1107, 1176
Protests entered.....	1167
Leave of absence.....	83, 198, 269, 580
Committees appointed to.....	11, 23, 24, 61, 63, 64, 65, 218, 698, 1082

CARR, JOHN P.—

Appears and is sworn in.....	4
Motions by.....	249, 259, 268, 318, 750, 885, 1218
Resolutions offered by.....	13, 14, 11, 46
Bills introduced by.....	104, 161, 310, 311, 842
Amendments offered by.....	1103
Leave of absence to.....	206
Committees appointed to.....	63, 303

CARSON, JAMES R.—

Appears and is sworn in.....	4
Motions by.....	105, 171, 490, 598, 633, 788, 1007, 1190, 1257
Bills introduced by.....	102, 260, 792
Reports made by.....	175, 246, 398, 399, 516, 538, 843
Petitions and remonstrances offered by.....	147
Leave of absence to.....	199, 280, 293, 739
Committees appointed to.....	62, 64

CHAWNER, JOHN—

Appears and is sworn in.....	4
Motions by.....	169, 247, 557, 685, 696, 750, 1128, 1209
Resolutions by.....	1024
Bills introduced by.....	94, 426, 501
Reports made by.....	112, 157, 215, 301, 502, 503, 512, 618, 722, 763, 764, 920 952
Petitions and remonstrances offered by.....	428, 778
Amendments offered by.....	1008, 1223
Leave of absence to.....	436
Committees appointed to.....	61, 62, 63

CLAYPOOL, JAMES C.—

Appears and is sworn in.....	4
Motions by.....	255
Bills introduced by.....	146
Leave of absence to.....	625, 1193
Committees appointed to.....	62, 268

COFFMAN, STEWART S.—

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Appears and is sworn in.....	5
Resolutions offered by.....	112
Bills introduced by.....	76, 144, 158
Reports made by.....	144, 424, 558
Leave of absence to.....	130, 206, 293, 1087
Committees appointed to.....	60, 62, 87, 186, 718

COLE, ULYSSES S.—

Appears and is sworn in.....	4
Motions by.....	285, 384, 407, 536, 624, 719, 805, 806, 864, 884, 907, 910, 978, 1126, 1186, 1197, 1205
Resolutions offered by.....	127, 909, 1226
Bills introduced by.....	74, 104, 433
Reports made by.....	169, 239, 365, 385, 550, 761, 762, 941, 1187
Amendments offered by.....	88, 394, 878
Committees appointed to.....	61, 63, 64, 86, 909, 1082, 1083

COLLINS, ALFRED B.—

Appears and is sworn in.....	6
Motions by.....	6, 8, 20, 179, 230, 429, 634, 698, 1113, 1199
Resolutions offered by.....	11, 13, 59, 1230
Bills introduced by.....	18, 82, 121, 214
Reports made by.....	169, 240, 363, 500, 509, 511, 846, 858, 1157
Leave of absence to.....	206
Committee appointed to.....	13, 23, 61, 62, 86, 218, 475, 665, 698, 909

COMPTON, ISAAC M.—

Appears and is sworn in.....	4
Motions by.....	192, 360, 374, 429, 430, 507, 576, 781, 806, 867, 923, 971, 1030, 1077, 1124
Resolutions by.....	658
Bills introduced by.....	73, 94, 145, 195, 426, 427, 790, 1113
Reports made by.....	144, 170, 172, 175, 238, 360, 382, 389, 404, 501 516, 517, 752, 753, 805, 806, 844, 951, 1188
Amendments offered by.....	430, 462, 918
Committees appointed to.....	61, 62, 86, 134

CONLEY, WILLIAM A.—

Appears and is sworn in.....	6
Resolutions offered by.....	799
Bills introduced by.....	214
Reports made by.....	809, 810
Leave of absence to.....	134, 269
Committees appointed to.....	62

COOK, JOSEPH H.—

Appears and is sworn in.....	4
Resolutions offered by.....	78, 220
Bills introduced by.....	94, 144, 145, 194, 284, 426
Reports made by.....	1177
Petitions, remonstrances and claims offered by.....	724
Committees appointed on.....	60, 64

COOLEY, EBENEZER—

Appears and is sworn in.....	4
Bills introduced by.....	203, 841
Leave of absence to.....	480, 614, 750
Committees appointed to.....	61, 62

COPELAND, ARTHUR C.—

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Appears and is sworn in.....	5
Motions by.....	407, 683, 854, 994, 1200, 1205
Resolutions offered by.....	96, 127, 199, 1001
Bills introduced by.....	54, 203, 431
Reports made by.....	553, 854
Amendments offered by.....	750, 1012
Leave of absence to.....	280, 481, 500
Committees appointed to.....	61, 62, 218

CRAFT, WILLIAM H.—

Appears and is sworn in.....	5
Motions by.....	58, 60, 179, 180, 198, 221, 231, 268, 307, 376, 401, 407, 416, 425, 535
	598, 627, 634, 653, 675, 688, 779, 782, 894, 909, 927, 959, 1106
	1111, 1140, 1169, 1172, 1202, 1203, 1218, 1220, 1224
Resolutions offered by.....	743, 990, 1030, 1145
Bills introduced by.....	75, 151, 209, 292, 445, 653, 786, 787
Reports made by.....	244, 321, 395, 443, 581, 582, 777, 778, 779, 1004, 1021
Petitions, remonstrances and claims offered by.....	723, 724, 888
Amendments offered by.....	21, 48, 550, 675, 914, 916, 917, 918, 922, 923
Committees appointed to.....	61, 63, 268

CRUMPACKER, THEOPHILUS—

Appears and is sworn in.....	5
Motions by.....	46, 167, 186, 1178, 1223
Resolutions offered by.....	15
Bills introduced by.....	17, 156, 157, 299
Reports made by.....	241, 246, 522, 535
Petitions, remonstrances and claims offered by.....	863
Leave of absence to.....	269
Committees appointed to.....	61, 62

DANNETTELL, JOHN—

Appears and is sworn in.....	6
Motions by.....	222, 308, 697
Bills introduced by.....	110, 307, 308, 454, 841
Reports made by.....	177, 413, 548, 815, 816
Petitions and remonstrances offered by.....	163, 459
Leave of absence to.....	130, 376, 480
Committees appointed on.....	52, 63

DAVIS, JOSEPH W.—

Appears and is sworn in.....	5
Motions by.....	12, 676, 721, 921, 995, 1071, 1116
Resolutions offered by.....	1022, 1227
Bills introduced by.....	107
Amendments offered by.....	920
Leave of absence to.....	186
Committees appointed to.....	61, 1111

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ELWELL, HORACE H.—

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Appears and is sworn in.....	5
Bills introduced by.....	109, 167, 299
Reports made by.....	776
Leave of absence to.....	65, 500, 805
Committees appointed to.....	61, 63, 64, 186, 318, 1088

ENDSLEY, HENRY M.—

Appears and is sworn in.....	5
Motions by.....	96
Resolutions offered by.....	110
Bills introduced by.....	212, 795, 796
Reports made by.....	412
Leave of absence to.....	115
Committees appointed to.....	61, 62, 63

FOSTER, THOMAS J. (of Allen)—

Appears and is sworn in.....	3
Motions by.....	130, 148, 257, 264, 293, 453, 472, 473, 481, 630 785, 880, 921, 924, 1119, 1182, 1205, 1217
Resolutions offered by.....	11, 787, 1147
Bills introduced by.....	73, 93, 185, 283, 426, 457, 786, 787
Reports made by.....	323, 403, 517, 708
Amendments offered by.....	920
Leave of absence to.....	374
Committees appointed to.....	61, 62, 186

FOSTER, ROBERT C. (of Monroe)—

Appears and is sworn in.....	5
Motions by.....	658, 1180
Resolutions offered by.....	23, 154, 236, 1010, 1019
Bills introduced by.....	151, 152, 297, 447, 795, 1180
Reports made by.....	64, 174, 178, 181, 252, 516, 544, 545, 766, 800 812, 813, 814, 965, 968, 1024, 1179, 1184
Petitions, remonstrances and claims offered by.....	304, 451, 724, 797, 798
Leave of absence to.....	269, 293
Committees appointed to.....	23, 61, 62, 63, 86, 218, 648

FREEMAN, WILLIAM—

Appears and is sworn in.....	5
Motions by.....	123, 138, 186, 215, 233, 265, 286, 288, 501, 633, 756, 956, 1002 1078, 1112, 1221
Resolutions offered by.....	111, 155, 451, 995
Bills introduced by.....	16, 153, 211, 448, 795
Reports made by.....	558, 835, 873, 1185
Amendments offered by.....	501, 756, 871, 1103
Leave of absence to.....	264
Committees appointed on.....	60, 63, 87, 1111, 1235

FROMM, JOHN F.—

Appears and is sworn in.....	6
Bills introduced by.....	146, 431
Leave of absence to.....	123, 320, 484, 753
Committees appointed to.....	63

GARVER, WILLIAM—

Appears and is sworn in.....	6
Motions by.....	171, 178, 235, 240, 307, 385, 699, 804, 945
Resolutions offered by.....	23, 124

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Bills introduced by.....	103, 146, 204, 432
Reports made by.....	139, 141, 165, 167, 226, 233, 235, 238, 240, 317, 363, 375 569, 570, 580, 581, 595, 739, 740, 754, 755, 805, 807, 966 974, 992, 1019
Petitions, remonstrances and claims offered by.....	725
Leave of absence to.....	206, 484, 1103
Committees appointed on	13, 61, 62, 65, 909

GIRTON, CHRISTOPHER—

Appears and is sworn in	5
Motions by.....	300, 320, 333
Bills introduced by.....	158, 300, 450
Leave of absence to.....	222, 280, 484
Committees appointed to.....	62, 64, 438

GOSSMAN, ANDREW A.—

Appears and is sworn in.....	4
Motions by.....	127, 179, 186, 484, 527, 843, 894, 1012, 1181, 1217
Resolutions offered by.....	128, 190, 181
Bills introduced by.....	73, 96, 102, 197, 287, 288
Reports made by.....	249, 405, 409, 521, 523, 1112
Amendments offered by.....	353
Leave of absence to.....	1082, 1114
Committees appointed to.....	62, 63

GRUBBS, GEO. W.—

Appears and is sworn in.....	5
Motions by.....	126, 190, 238, 317, 326, 425, 554, 696, 877, 901, 952, 976, 1102, 1103, 1107, 1120, 1162
Resolutions offered by.....	22, 128, 797, 901, 1223
Bills introduced by.....	75, 167, 162, 298, 447, 1162
Reports made by.....	14, 47, 119, 136, 137, 183, 235, 316, 317, 358, 359, 378, 379, 404, 490, 491, 492, 594, 685, 697, 698, 699, 720, 733, 734, 735, 736, 804, 960, 971, 972, 986, 1006, 1153, 1216
Petitions and remonstrances offered by.....	451
Amendments offered by.....	425, 475, 480, 644, 913, 920, 1104, 1216
Leave of absence to.....	49, 206, 217
Committees appointed to.....	11, 23, 61, 62, 63, 302, 698, 909

GUTHRIE, ALFRED—

Appears and is sworn in.....	5
Motions by.....	138
Resolutions offered by.....	1227
Bills introduced by.....	438
Reports made by.....	394, 586, 779
Leave of absence to.....	130, 199, 280, 472, 640, 1103
Committees appointed to.....	61, 63, 218

HALL, ANDREW—

Appears and is sworn in.....	5
Motions by.....	175, 582, 896, 909, 910, 958, 1030, 1171, 1172, 1200
Resolutions by.....	280, 332, 958, 1111
Bills introduced by.....	75, 108, 152, 210, 298, 447, 795
Reports made by.....	254, 403, 520, 555, 556, 802, 808, 950, 951, 1025, 1181
Petitions and remonstrances offered by.....	156, 451
Amendments offered by.....	133, 175, 250, 913, 918, 1104, 1213, 1214, 1217
Leave of absence to.....	198, 472
Committees appointed to.....	62, 63, 268, 1003

HARRIS, BRANSON L.—

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Appears and is sworn in.....	6
Bills introduced by.....	17
Leave of absence to.....	134, 639
Committees appointed to.....	61, 63, 64

HARPER SAMUEL—

Appears and is sworn in.....	5
Resolutions offered by.....	99
Bills introduced by.....	104, 149
Reports made by.....	241, 316, 677, 830
Leave of absence to.....	441
Committees appointed to.....	60, 61, 63, 438

HATFIELD, ANDREW J.—

Appears and is sworn in.....	5
Motions by.....	374, 749
Resolutions offered by.....	303, 995, 1012
Bills introduced by.....	298, 448
Petitions and remonstrances offered by.....	112, 671
Leave of absence to.....	186
Committees appointed to.....	61, 62

HAUSS, FRANCIS W.—

Appears and is sworn in.....	4
Motions by.....	164, 247, 437, 472, 668, 822, 852, 881, 942
Resolutions offered by.....	1160, 1164
Bills introduced by.....	288, 792
Reports made by.....	513, 782, 783, 843, 1230
Amendments offered by.....	912, 1115
Leave of absence to.....	185
Committees appointed to.....	61

HENDERSON, EDGAR—

Appears and is sworn in.....	5
Motions by.....	105, 130, 186, 223, 360, 383, 403, 443, 758, 1081
Resolutions offered by.....	49, 78, 99, 207, 237, 438, 603, 1003, 1009, 1078
Bills introduced by.....	17, 104, 149, 208, 291, 312, 439, 440, 793
Reports made by.....	557
Leave of absence to.....	757
Committee appointed to.....	61, 63, 86, 1082

HIGHWAY, JOHN D.—

Appears and is sworn in.....	4
Resolutions offered by.....	155
Petitions and remonstrances offered by.....	437
Leave of absence to.....	269
Committees appointed to.....	61, 63

HOSMER, JACKSON—

Appears and is sworn in.....	5
Resolutions offered by.....	101
Bills introduced by.....	439
Leave of absence to.....	130, 269
Committees appointed to.....	61, 63

HOUGHTON, JOHN W.—

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Appears and is sworn in.....	6
Bills introduced by.....	209, 794
Reports made by.....	554
Leave of absence to.....	130, 484, 511, 739, 812
Committees appointed to.....	61, 63

HUBBARD, CHARLES S.—

Appears and is sworn in.....	4
Bills introduced by.....	204, 205, 290, 433
Reports made by.....	173, 961, 1024
Leave of absence to.....	134, 206, 219, 443, 544, 625, 1151
Committees appointed to.....	61, 63, 64, 90, 475

HULET, HENRY C.—

Appears and is sworn in.....	5
Motions by.....	250, 366, 675, 676, 1007, 1101
Resolutions offered by.....	78
Bills introduced by.....	16, 17, 18, 108, 210, 297, 446, 447 786
Reports made by.....	315
Petitions and remonstrances offered by.....	451
Amendments offered by.....	748, 1106
Leave of absence to.....	130, 639
Committees appointed to.....	60, 63

JOHNSON, JAMES L. (of Carroll)—

Appears and is sworn in.....	4
Motions by.....	49, 201, 224, 225, 250, 469, 668, 995, 1104
Resolutions offered by.....	97, 126, 189, 314, 789, 1018, 1075, 1079
Bills introduced by.....	145, 196, 311
Reports made by.....	202, 468, 503, 504, 512, 550, 764, 952, 1081
Petitions, remonstrances and claims offered by.....	839
Amendments offered by.....	257, 916, 1223
Committees appointed to.....	61, 63, 64, 90, 92, 302, 1079

JOHNSON, COLUMBUS (of Dearborn)—

Appears and is sworn in.....	4
Motions by.....	1196
Bills introduced by.....	284, 428
Reports made by.....	250, 321, 534, 535, 586
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Motions by	115, 171, 175, 217, 283, 293, 359, 481, 494, 543, 615, 625, 627 715, 788, 885, 947, 984, 1076, 1169
Resolutions offered by.....	20, 120, 261, 313, 363, 397, 847, 1256
Bills introduced by.....	82, 121, 161, 214, 215, 309, 310, 457, 458, 867, 879, 909, 1102, 1156
Reports made by.....	93, 143, 170, 258, 364, 386, 486, 499, 688, 689, 755, 846, 1010, 1214
Petitions and remonstrances offered by.....	258, 451, 459, 500, 501, 719
Amendments offered by.....	123, 549, 918, 944, 1006, 1018, 1021
Leave of absence to.....	134, 632
Committees appointed to.....	13, 23, 61, 65, 658, 715

ZERING, WILLIAM—

Appears and is sworn in.....	5
Motions by.....	236, 661, 957, 1099
Bills introduced by.....	107, 151, 209, 297, 446
Amendments offered by.....	385
Committees appointed to.....	62, 63

ZIMMERMAN, JACOB C.—

Appears and is sworn in.....	5
Bills introduced by.....	210
Reports made by.....	546, 816
Leave of absence to.....	89, 269
Committees appointed to.....	62, 63, 1080

HOUSE BILLS.

No.	TITLE.	BY WHOM.	ACTION THEREON.
1	A BILL to amend sections 7 and 8 of an act concerning real property, and the alienation thereof.	Carlton.	16, 85, 136, 174, 327.
2	A BILL to amend sections 8 and 9 of an act to enable owners of wet lands to drain and reclaim them where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith, approved March 11, 1867, and declaring an emergency.	Branyan.	16, 85, 254, 556, 632.
3	A BILL regulating the number of petit jurors on trials before the courts of this State, repealing all laws in conflict therewith, and declaring an emergency.	Freeman.	16, 85, 373, 755, 800, 893.
4	A BILL amending section 27 of an act entitled "An act regulating decedents and the apportionment of estates," approved May 14, 1852.	Hulet.	16, 85, 140, 174, 327.
5	A BILL to legalize the subscription of the city of Vincennes to the capital stock of the Vincennes Drawbridge Company and the bonds issued to pay the same, and the taxes to be levied, assessed and collected therefor, and to authorize taxes to be levied, assessed and collected for the payment of such bonds as yet remain unpaid.	Viehe.	16, 85, 140, 174, 219, 686, 721, 722, 724, 725, 763.
6	A BILL to amend section 2 of an act entitled "An act in relation to the order of business in the circuit court, and giving the court the power to empanel special juries in certain cases," approved March 7, 1873, and declaring an emergency.	Branyan.	16, 85, 239.
7	A BILL for an act creating the Forty-second Judicial Circuit, fixing the time of holding courts therein, and also the time of holding courts in the Twenty-fourth Judicial Circuit, and providing for the transfer of certain business from the Twenty-fourth to the Forty-second Judicial Circuit and providing for the appointment of a Judge and Prosecuting Attorney therein, and declaring an emergency.	Henderson.	17, 85, 1178.
8	A BILL to amend section 1 of an act entitled "An act to exempt property from sale in certain cases," approved February 17, 1852, and adding a supplemental section thereto.	Peelle.	17, 85, 137, 139, 157, 261.
9	A BILL to amend section 70 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts and providing for the election of Judges and prosecuting attorneys in certain cases," approved March 6, 1873, and declaring an emergency.	Crumpacker.	17, 85, 169, 215, 219, 257, 260, 285, 286, 302, 362, 722.
10	A BILL to fix the time of holding Circuit Courts in the Eleventh Judicial Circuit, and to repeal all laws in conflict herewith, and declaring an emergency.	Harris.	17, 85, 238, 276, 391, 942, 950, 977, 998.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
11	A BILL to amend section 1 of "An act to provide for the regulation of the running at large of all kinds of animals within the different townships in the different counties of the State, and to provide for the taking up, impounding and selling all such animals as shall not be allowed by law to run at large," approved May 13, 1852.	Hulet.	17, 85.
12	A BILL to amend sections 1 and 3 of an act entitled "An act to amend sections 102, 107, 108, 125 and 270, and to repeal section 276 of an act entitled 'an act to provide for a uniform assessment of property and for the collection and return of the taxes thereon,' approved December 21, 1872, repealing all laws in conflict herewith, adding supplementary sections to said act, and declaring an emergency," approved February 11, 1873, and adding supplemental sections thereto, and declaring an emergency.	Adams.	17, 85, 167.
13	A BILL to amend sections 19 and 20 of an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1852, and declaring an emergency.	Branyan.	18, 85, 169, 215, 329, 722, 903, 922, 934, 996.
14	A BILL prescribing the duties of the treasurers of the several counties and the Treasurer of the State of Indiana, in relation to the interest or hire that is received by them, for the loan or deposit of the public funds that they may hold by virtue of their office, and declaring an emergency.	Hulet.	18, 85, 142.
15	A BILL appropriating one hundred and twenty-five thousand dollars to defray the expenses of the Fiftieth Regular Session of the General Assembly of the State of Indiana.	Collins.	18, 85.
16	A BILL to provide suitable books for the records of the acts of justices of the peace.	Oglebay	18, 85, 142, 174, 330, 462, 1205, 1212, 1233.
17	A BILL to prevent evasions and misconstructions of laws for the government and responsibilities of railroad corporations; to provide the means of redress and punishment for wrongs and injuries committed by them.	Warrum.	18, 86, 176, 369.
18	A BILL to amend section 397 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, and declaring an emergency.	Branyan.	18, 86, 170, 171, 229.
19	A BILL to amend sections 5 and 6 of an "An act to regulate and license the sale of spirituous, vinous and malt, and other intoxicating liquors, to limit the license fee to be charged by cities and towns; prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of	Carlton.	53, 86, 177.

20	Intoxicating liquors; to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with this act; prescribing penalties for violation thereof, and declaring an emergency;" approved March 17, 1875. A BILL to make the silver dollar, half dollar and quarter dollar a legal tender for all debts, public and private within the State, and declaring an emergency.	Ashby.	53, 86, 135.
21	A BILL authorizing the assessment of all lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank macadamized or gravel road organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "An act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, when the subscription to such road amounts to at least five hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessments; <i>Provided</i> , The lands are situated within the county in which such road is located.	Austin.	53, 87, 824.
22	A BILL to provide for taking the sense of the qualified voters of the State on the calling of a convention to alter, amend, or revise the Constitution of the State.	Langdon.	53, 87, 227, 304, 367, 380.
23	A BILL to amend section 27 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, and prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.	Copeland.	54, 87, 173, 215, 328, 904, 922, 934, 977, 978, 997.
24	A BILL to amend section 1 of an act entitled "An act declaring agreements to pay attorney's fees contained in any fee bill of exchange, acceptance, draft, promissory note, or other written evidence of indebtedness, illegal and void, and declaring an emergency," approved March 10, 1875, and declaring an emergency.	Branyan.	54, 87, 140, 315.
25	A BILL to amend sections 3, 4 and 6 of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations, and repealing the laws on that subject," approved March 5, 1857, and March 7, 1873, and legalizing all such associations now in existence," approved March 11, 1875.	Marsh.	54, 87, 231, 301, 345, 406.
26	A BILL to protect the citizens of the State of Indiana from emigration and elevate the standing of the medical profession, requiring two full courses of instruction in some medical school, or a certificate from some State or county medical society, and prescribing a penalty for violation thereof.	Foster of Allen.	73, 87, 558, 607, 623, 656.
27	A BILL providing that deeds of conveyance shall contain an abstract of title to real estate therein described.	Compton.	73, 87, 166, 722.
28	A BILL to amend section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for the violation thereof," approved February 22, 1871.	Koontz.	73, 87, 253, 412, 468.
29	A BILL fixing the fees of witnesses before a justice of the peace, and declaring an emergency.	Gossman.	73, 87, 141, 157, 231.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
30	A BILL providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, and repealing all laws in conflict, and declaring an emergency.	Warrum.	73, 87, 169, 568, 748, 822, 1041.
31	A BILL fixing a uniform rate of interest throughout the State of Indiana, and defining and affixing penalties for the violation or evasion or attempted evasion thereof.	Warrum.	73, 87, 143, 998.
32	A BILL defining libel, providing a penalty therefor, repealing all laws conflicting herewith and declaring an emergency.	Lane.	74, 87, 358, 591, 611, 686.
33	A BILL to amend section 7 of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations, and repealing the laws on that subject," approved March 5, 1857, approved March 7, 1873, and legalizing all such associations now in existence, approved March 11, 1875, and declaring an emergency.	Branyan.	74, 88, 538, 656, 662, 904, 922, 934, 977, 978, 997.
34	A BILL authorizing boards of county commissioners to construct gravel, macadamized or paved roads, upon a petition of a majority of resident land owners along and adjacent to the line of any road; authorizing them to issue bonds of the county to raise money required for that purpose, and provide for the payment of such bonds by taxing lands adjacent to the road; repealing all existing laws for the construction of gravel, macadamized or paved roads, and declaring an emergency.	Cole.	74, 88, 301, 346, 374, 384, 550, 618, 639, 904, 942, 960, 977, 998.
35	A BILL to amend sections 10, 64 and 70 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in certain cases, and declaring an emergency."	Smith.	74, 88, 183, 801, 326, 592, 734, 885, 1099.
36	A BILL to amend section 8 of an act entitled "An act to amend sections 102, 107, 108, 125 and 270, and to repeal section 276 of an act entitled 'an act to provide for a uniform assessment of property and for the collection and return of taxes thereon,' approved December 21, 1872, repealing all laws in conflict herewith, adding supplementary sections to said act, and declaring an emergency," approved February 11, 1875, and declaring an emergency.	Lanham.	74, 88, 410.
37	A BILL to amend section 8 of an act entitled "An act to repeal all general laws for the incorporation of cities, prescribing their powers and duties and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.	Craft.	75, 88, 252, 341, 903, 906, 911, 927, 934, 942, 960, 977, 978, 1106.
38	A BILL to amend sections 132 and 374 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct	Peelle.	75, 88, 183, 217, 318, 374, 466, 948, 926, 940, 977, 1031.

39	forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Grubbs.	75, 88, 139, 174, 326, 926, 943, 960, 977, 998.
40	A BILL to provide for the restoration and preservation of the records of the various counties and the records of circuit, probate and commissioners courts in the State of Indiana, and to authorize and empower the boards of commissioners of the several counties of said State to provide for the restoration and preservation of the records of their respective counties, and declaring an emergency.	Hall.	75, 88, 141, 157, 218, 257, 285, 286, 302, 302.
41	A BILL declaring the effect of the repeal of statutes.	Hall.	75, 88, 165, 229, 331, 960, 1147, 1166, 1209.
42	A BILL to provide for the protection of wild game and defining the time in which the same may be taken or killed, declaring the penalty for violation of this act, repealing all laws inconsistent herewith and declaring an emergency.	Kimmell.	76, 88, 322, 349, 351.
43	A BILL to suppress tipling houses, to regulate the sale, barter and giving away intoxicating liquors, to punish public exhibitions of drunkenness, to provide and enforce penalties for violations of this act, to repeal all laws inconsistent therewith, and to declare an emergency.	Moorman.	76, 88, 413, 949.
44	A BILL for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements and articles of obscene and immoral use, and articles for procuring abortion and self-pollution, and for the repeal of all laws in conflict herewith.	Moorman.	76, 88, 174, 229, 335, 337, 398, 415.
45	A BILL to amend an act approved March 10, 1873, amending sections 15 and 16 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties," approved June 11, 1852.	Moorman.	76, 88, 252, 349.
46	A BILL to prevent domestic animals from running at large, regulating the same, and declaring an emergency.	Kennedy of Rush.	76, 88, 177, 250, 452, 784, 845, 1116.
47	A BILL to provide for the construction of partition fences along the line of railroads, keeping the same in repair, and declaring an emergency.	Kennedy of Rush.	76, 89, 745, 790, 863.
48	A BILL to regulate the sale of mineral oils and other substances for illuminating purposes and providing a penalty for violations of the provisions thereof.	Coffman.	76, 89, 165, 186, 323, 404, 471, 1153.
49	A BILL in relation to the assessments and taxation of land, and the refunding of taxes paid thereon.	Leeper.	77, 89, 166, 335, 1145.
50	A BILL authorizing cities and incorporated towns to change and reform their boundaries so as to exclude them from suburban lots or tracts of land not laid out in lots.	Leeper.	77, 89, 178, 215, 343, 722, 891, 909, 903, 906, 990.
51	A BILL to enable cities and incorporated towns to use the surplus special school fund belonging to such corporations for the payment of indebtedness created in the erection and completion of school buildings and in the purchase of any ground and building for school purposes.	Leeper.	77, 89, 178, 202, 340, 891, 900, 903, 906, 990.
52	A BILL defining the time and the persons by whom qualls may be netted or trapped, fixing the penalty for the violation of this act, and repealing all laws inconsistent herewith.	Morrison.	77, 89, 176, 244, 342.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
53	A BILL authorizing the appointment of students to Purdue University by the board of commissioners of each county, and to provide for the admittance of such scholars, and defining their privileges therein.	Langdon.	77, 89, 240, 301, 463, 472, 535, 602, 1147, 1169, 1165, 1209.
54	A BILL to amend an act entitled "An act to provide for the redemption of real property or any interest therein, sold on execution or order of sale, and providing for the issuance of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict with the same," approved June 4, 1861, and declaring an emergency.	Oglebay.	80, 89, 175.
55	A BILL to cure defective sheriffs' sales, where advertisement thereof has been made as provided by an act approved March 11, 1876, entitled "An act to amend section 467 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading, without distinction between law and equity.'"	Langdon.	81, 90, 139, 157, 281, 505, 525, 529, 539, 647.
56	A BILL to protect purchasers of real estate, prescribing in what manner it shall be done, and declaring an emergency	Oglebay.	81, 90, 143.
57	A BILL providing for the improvement of highways, and repealing all acts inconsistent therewith.	Mathews.	81, 90, 551, 829, 1174.
58	A BILL for the relief of William A. Jordan, former Treasurer of Perry county, Indiana, and Thomas J. Cutler, Frederick Connor, John T. Connor, Joseph Meyer, Hiram W. Simmonds, Samuel K. Connor, Solomon Salm, John C. Shoemaker, William V. Reynolds, James Hardin, Adam Akerman, Hamilton Smith, Jr., Frederick Hahn, Edward B. Cutler and Hiram Carr, sureties on the official bond of the said William A. Jordan, treasurer as aforesaid, and to authorize the Auditor and Treasurer of Perry county to perform certain duties connected therewith.	Carlton.	82, 90, 112, 164, 258.
59	A BILL to authorize county commissioners to contract for the legal defense of indigent persons by annual contract with a responsible attorney, declaring an emergency, and repealing all laws in conflict therewith.	Sailors.	82, 90, 235, 343.
60	A BILL in relation to stock killed or injured by railroads.	Yarvan.	82, 90, 112, 122, 1191, 1199, 1211, 1232.
61	A BILL to amend an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such Court, for the compensation of such Reporter," approved March 13, 1875.	Collins.	82, 90, 170, 301, 346, 407.

62	A BILL to amend section 239, article 14, chapter 1, part 2, volume 2, Revised Statutes, Gavin & Hord, in relation to affidavits from another State.	Collins	82, 90, 164, 351.
63	A BILL requiring the Superintendent of Public Instruction to furnish the school and road laws to the several trustees of the several townships of the State of Indiana, and the school trustees of the incorporated towns and cities, and providing payment therefor.	Foster of Allen.	93, 125 1226.
64	A BILL to amend an act approved March 8, 1873, supplemental to an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, also declaring an emergency.	Chawner.	94, 125.
65	A BILL to amend section 42 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.	Cook.	94, 125.
66	A BILL regulating the working of coal mines, and declaring a lien upon the works and machinery for work and labor in mining coal, and for the royalty on coal, and providing penalty for the violation thereof, and declaring an emergency.	Compton.	94, 125, 134, 144, 157, 429, 430, 462.
67	A BILL fixing the per diem and mileage of witnesses in justices' courts, and other matters properly connected therewith, and declaring an emergency.	Benz.	94, 125, 173.
68	A BILL to amend section 5 of an act entitled "An act prescribing the manner of empaneling petit jurors, the number and compensation thereof."	McCarty.	94, 125, 248, 258.
69	A BILL to amend section 455 of an act entitled "An act to revise, simplify and abridge the rules, practice and pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, and declaring an emergency.	Riley.	95, 125, 166.
70	A BILL to legalize the election held in 1875, in the town of Eaton, Delaware county, Indiana, and to legalize the official acts of the board of trustees of said town for the said year, and to legalize the acts of all other officers of said corporation for said year, under "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, and to legalize all by-laws, rules, regulations and proceedings of said Board of Trustees and said other officers adopted in pursuance thereof.	Lockhart.	95, 125, 182, 301, 345, 1147, 1159, 1165, 1209

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
71	A BILL to amend section 1 of an act entitled "An act to authorize township trustees, trustees of incorporated towns and the common council of cities, to levy a tax for school purposes," approved March 9, 1867.	Koontz.	95, 125.
72	A BILL to legalize the official acts of the several Boards of Trustees of the town of Portland, Jay county, Indiana, and the official acts of each and every officer of said town from the date March 6, 1875, as under "An act for the incorporation under and in pursuance of the above entitled act."	Koontz.	95, 125, 177, 546, 815.
73	A BILL to compel railroad companies and other corporations and persons owning and operating any railroad in this State to fence such road, and prescribing penalties for a violation of the same.	Gossman.	96, 125, 521.
74	A BILL in relation to donations by individuals to aid in the construction of any railroad, and declaring an emergency.	Gossman.	102, 125, 404.
75	A BILL limiting the term of office of township trustees.	Thompson of Elkhart	102, 125, 246, 339, 1147, 1159, 1166, 1209.
76	A BILL abolishing the Twenty-seventh Judicial Circuit, and the criminal circuit courts therein, and to confer jurisdiction in criminal cases, upon the civil courts of Floyd county and Clark county, and to transfer all cases pending in said criminal circuit courts to said civil circuit courts, and declaring an emergency.	Albert.	102, 126, 166, 227, 229, 429, 440, 445, 446, 485.
77	A BILL legalizing subscriptions for benevolent or church purposes, made or authorized to be made on the first day of the week, commonly called Sunday, and to provide for their collection.	Swayzee.	102, 126, 236.
78	A BILL to amend section 5 of an act entitled "An act touching the marriage relation, and liabilities incident thereto," approved May 31, 1852, and adding supplementary sections thereto.	Baxter.	102, 126, 697.
79	A BILL defining the jurisdiction of grand juries in the several counties of this State, in criminal causes, and declaring an emergency.	Carson.	102, 126, 239.
80	A BILL defining the powers and duties of prosecuting attorneys in State prosecutions, and other matters properly connected therewith.	Carson.	102, 126, 239, 260, 364, 378, 469, 472, 719.
81	A BILL to amend section 13 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and declaring an emergency.	Garver.	103, 126, 247.
82	A BILL to fix the time for holding township elections, for the election of township officers, and repealing all laws in conflict therewith.	Warrum.	103, 126, 316.
83	A BILL providing for the removal of drifts and obstructions in water courses, and the draining of ponds and sloughs, and penalties for obstructions or injuries thereof.	Warrum.	103, 126, 241.

✓ 84	▲ A BILL to prevent and punish the giving of bribes, presents and gifts to public officers, and to prevent the corruptions in the civil service of the State, flowing from such corrupting practices.	Warrum.	103, 126, 246.
✓ 85	▲ BILL to amend section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws inconsistent with the same, and prescribing penalties for the violation thereof."	Smith.	103, 126, 245.
✓ 86	▲ BILL to amend section 1 of an act entitled "An act authorizing the employment of short-hand reporters for certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing their duties and compensation of such reporters," approved March 10, 1875, and declaring an emergency.	Thomson of Miami.	103, 126, 172.
87	▲ BILL to repeal sections 132, 133, 134, 135, 136, 137, 138, 139, and 140 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1866, requiring the township trustees to sell the books and other property remaining on hand belonging to the township school libraries, and declaring an emergency.	Cole.	104, 131.
✓ 88	▲ BILL to amend section 2 of an act concerning inclosures, trespassing animals, and partition fences, approved June 4, 1852, and declaring an emergency.	Carr.	104, 131, 174, 215, 330, 722, 1147, 1159, 1166, 1209.
✓ 89	▲ BILL to amend an act entitled "An act to amend section 16 of an act entitled 'an act concerning real property and the alienation thereof,'" approved March 11, 1875.	Viehe.	104, 131, 229, 230, 380, 399, 468, 481.
✓ 90	▲ BILL relating to the rights of married women and matters properly connected therewith.	Harper.	104, 131, 218, 220, 221, 685, 722, 859.
91	▲ BILL requiring county auditors to make assessors' books and road lists, providing compensation therefor, and declaring an emergency.	Henderson.	104, 131, 509, 626.
✓ 92	▲ BILL to amend section 3 of an act entitled "An act prescribing the powers and duties of justices of the peace in State prosecutions," approved May 23, 1852.	Adams.	104, 131, 239, 338.
✓ 93	▲ BILL supplemental to an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."	Peelle.	105, 131, 235.
✓ 94	▲ BILL requiring the clerk, sheriff, or other officers in this State, now or hereafter authorized by law to take and accept replevin bail, or security of any kind for the stay of execution or the payment of any judgment, or otherwise, to take the affidavit of the party or parties offering to become such bail or security, as to his or their solvency.	Peelle.	105, 131, 236.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 95	A BILL to amend section 445 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852."	Peelle.	106, 131, 236.
✓ 96	A BILL defining libel and fixing punishment therefor.	Peelle.	106, 131, 229.
✓ 97	A BILL to legalize certain acts of the Board of Commissioners of Morgan county, in the State of Indiana, providing for the restoration and preservation of the burned records of the clerk's and auditor's offices of said county, and providing that such restored records shall have the same force and effect as the original records, and declaring an emergency.	Grubbs.	107, 131, 317, 342, 351, 937, 960, 977, 998.
✓ 98	A BILL to regulate the banging of doors to the entrance of theaters, opera houses, public halls, museums, churches, colleges, seminaries and school buildings.	Davis.	107, 131, 177, 230, 285, 401, 468, 598, 1168, 1181, 1183, 1225.
✓ 99	A BILL supplemental to an act to provide for the regulation of all kinds of animals within the different townships in the different counties of this State, and to provide for the taking up and impounding and selling all such animals as shall not be allowed by law to run at large, approved May 3, 1852.	Zebring.	107, 131, 143, 263.
✓ 100	A BILL amending section 53 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.	Hulet.	108, 132, 323, 386.
✓ 101	A BILL to amend sections 2 and 4 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved June 15, 1852, and adding a supplementary section, repealing all laws in conflict, and declaring an emergency.	Scott.	108, 132, 532.
✓ 102	A BILL to regulate the disbursement of county funds.	Hall.	108, 132, 249.
✓ 103	A BILL to provide for taxing as costs the expense of procuring transcripts and exemplification of records.	Hall.	108, 132, 231, 321, 350, 551, 465, 1165, 1181, 1183, 1217.
✓ 104	A BILL making the gold and silver coins of the United States a legal tender in the payment of debts and taxes in the State of Indiana.	Hall.	108, 132, 228, 549.
✓ 105	A BILL to provide for the removal of rails and plank fencing from overflowed lands.	Reno.	108, 132, 250, 276, 336, 1195, 1213, 1211, 1212, 1233.

✓ 106	A BILL to amend section 4 of an act entitled "An act in relation to the organization of the two houses of the General Assembly, prescribing the number of officers and employees of each House, and regulating their duties," approved December 23, 1872, acts of 1872-1873, page 33, and declaring an emergency.	Iane.	109, 132, 375, 378, 471, 599, 737.
H. 107	A BILL to make the property of married women subject to execution for debts of their own contracting, giving the benefit of exemption, and declaring an emergency.	Moorman.	109, 132, 737.
108	A BILL to provide a library for the township of Orange, in the county of Rush.	Kennedy of Rush.	109, 132, 503.
✓ 109	A BILL fixing the amount of pay and the kinds of funds out of which election boards shall be paid.	Elwell.	109, 132, 513, 813.
✓ 110	A BILL to amend section 27 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875, and declaring an emergency.	Morrison.	109, 133, 946.
111	A BILL declaring agreements to pay attorneys fees contained in any bill of exchange, acceptance, draft, promissory note, or other written or printed evidence of indebtedness, illegal and void, and repealing all laws in conflict with this act.	Butler.	109, 133, 230.
✓ 112	A BILL to regulate the sale of spirituous, vinous and malt liquors, and prohibiting the sale on certain days and to certain persons, prescribing penalties for intoxication, providing for the recovery of damages for injuries growing out of sales of liquor, prescribing the manner of disposing of the fines collected by justices and courts, and repealing all laws on the subject.	Butler.	110, 133, 537.
✓ 113	A BILL defining the powers of county commissioners and limiting them in certain cases, and declaring an emergency.	Oglebay.	110, 133, 248, 301, 464.
114	A BILL to remove from married women all disabilities to contract, authorizing them to sue and be sued, and defining their liability on their contracts, repealing all laws in conflict with the same, and declaring an emergency.	Oglebay.	110, 133, 177, 218, 220, 222.
✓ 115	A BILL to repeal an act therein named.	Dannettell.	110, 133, 333, 698, 790, 880, 1145, 1169, 1166, 1209.
✓ 116	A BILL providing for continuance of causes.	Carlton.	120, 133, 226, 333, 348, 363.
✓ 117	A BILL to amend section 19 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1863.	Sailors.	120, 133, 240.
✓ 118	A BILL to amend section 5 of an act entitled "An act supplementing and amendatory of an act entitled 'an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,'" approved December 21, 1872.	Perigo.	120, 133, 522.
✓ 119	A BILL defining the qualifications of township trustees.	Perigo.	121, 133, 249.
✓ 120	A BILL to legalize the acts of the Common Council of the city of Greencastle, in Putnam county, in the annexation of a certain addition to said city, and legalizing the acts of said Common Council and the officers of said city over said addition, and all matters pertaining thereto.	Collins.	121, 133, 181, 194, 202, 215, 362.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 121	A BILL to amend section 529, article 24, chapter 1, part 2, Revised Statutes, to authorize executions from transcripts from another county.	Collins.	121, 133, 320.
✓ 122	A BILL to amend section 16 of an act entitled "An act to cure defects in the execution of deeds, or in the certificates of acknowledgments of conveyances of real estate, or any interest therein in the cases therein named, and doing away with a seal or ink scroll in the cases therein named, and to repeal conflicting laws," approved December 23, 1858.	Yaryan.	121, 134, 230.
✓ 123	A BILL to establish a State Board of Health; to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to the local boards of health, and declaring an emergency.	Coffman.	144, 265, 424, 425.
✓ 124	A BILL to amend section 17 of an act entitled "An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852, repealing all laws in conflict, and declaring an emergency.	Cook.	144, 265, 317.
✓ 125	A BILL to amend section 2 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others; and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of and act entitled "An act for the protection of sheep," approved June 18, 1852, approved March 2, 1865 and declaring an emergency.	Cook.	145, 265, 513, 535, 616, 639
✓ 126	A BILL to furnish the justices of the peace with the Revised Statutes of Indiana and docket, and declaring an emergency.	Johnson of Carroll.	145, 265, 580.
✓ 127	A BILL to amend an act entitled "An act to prevent carrying concealed or dangerous weapons, and to provide punishment therefor," approved February 25, 1859, and repealing all former laws.	Marsh.	145, 266, 316, 342, 351, 464.
✓ 128	A BILL to amend section 1 of an act entitled "An act to enable and empower executors and administrators of the estates of deceased persons to enforce partition of the real estate of such decedents in certain cases, approved March 13, 1875, and declaring an emergency.	Compton.	145, 266, 261, 404.
✓ 129	A BILL to prohibit county sheriffs from charging fees for any services rendered by bailiffs during the term time of any of the circuit courts of this State and declaring a penalty, and declaring the duties and compensation of clerks of said courts.	McCarty.	145, 266.
✓ 130	A BILL to restrain usurious interest on money, and repealing all laws in conflict therewith.	McCarty.	146, 266, 320.

✓ 131	A BILL to amend sections 48, 49 and 50 of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852.	Koontz.	146, 266, 315.
✓ 132	A BILL to amend section 2 of an act approved June 17, 1852, entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties."	Claypool.	146, 266, 409.
✓ 133	A BILL to amend section 6 of an act entitled "An act to create the Forty-first Judicial Circuit, to amend sections 34 and 39 of an act entitled 'an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases,' approved March 6, 1873, and also to provide for holding terms of court in the Thirty-third, Thirty-eighth and Forty-first Circuits," approved March 9, 1875.	Fromm.	146, 266, 581.
✓ 134	A BILL to provide for the number of justices of peace in cities having a population over twenty thousand inhabitants, and for each additional twenty thousand inhabitants.	Garver.	146, 266, 499.
✓ 135	A BILL to amend section 6 of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852, and to prevent and render unnecessary the calling of special sessions of such county boards to approve official bonds and make settlements.	Warrum.	146, 266, 522.
✓ 136	A BILL declaring all railroad companies within the State to be common carriers; to regulate the passenger fares and tariff of fares thereon, requiring them to receive and discharge passengers and freights at all stations, and providing jurisdiction and penalties for the enforcement of the provisions of this act.	Warrum.	147, 266, 402.
✓ 137	A BILL to amend section 16 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.	Branyan.	143, 261, 380.
✓ 138	A BILL requiring boards of directors of gravel road companies, turnpike, macadamized and plank road companies to prepare and file with county auditors certain annual statements, requiring county auditors to preserve such statements for examination, defining penalties for the violation of this act, entitled "An act requiring the officers of certain corporations therein named to make out and publish annual statements, and providing penalties for the violation thereof," approved March 9, 1875.	Laubham.	149, 266, 322, 343, 349, 1165, 1181, 1183, 1225.
✓ 139	A BILL fixing the liability of married women on certain contracts.	Harper.	149, 266, 698.
✓ 140	A BILL to amend section 2 of an act approved March 13, 1875, entitled, "An act to amend section 2 of an act entitled, 'an act to secure dues from private corporations, and to extend their immunities to all citizens who may organize on the same terms,'" approved February 26, 1869.	Henderson.	149, 266, 537, 650, 656.

HOUSE BILLS—Continued.

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No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 141	A BILL to amend section 8 of an act entitled "An act regulating the granting of divorces, nullification of marriages and decrees, and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.	Henderson.	149, 266, 492, 762.
✓ 142	A BILL to amend sections 1 and 2 of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties."	Smith.	149, 266, 405, 407.
✓ 143	A BILL to amend section 3 and the title of an act entitled "An act fixing the per diem and mileage of the members of the General Assembly, and providing that they shall provide their own stationery," and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.	Smith.	150, 267, 512, 537, 627, 715, 855, 1141.
✓ 144	A BILL to amend an act entitled "An act to amend section 601 of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto,'" approved March 14, 1873, and adding a supplemental section thereto.	Adams.	150, 267, 815, 897, 1132.
✓ 145	A BILL to amend section 18 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.	McGaughey.	150, 267, 399, 800, 1096.
✓ 146	A BILL to repeal section 2 of an act entitled "An act defining certain misdemeanors and prescribing punishment therefor," approved December 2, 1865.	Peelle.	150, 267, 337.
✓ 147	A BILL to amend section 20 of an act entitled "An act regulating the granting of divorces, nullification of marriages and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.	Peelle.	150, 267, 493, 587, 615.
✓ 148	A BILL giving the employees of corporations a lien for their work and labor upon the corporate property of such corporation, and the earnings thereof, together with the mode of enforcing the same, and repealing all laws in conflict therewith.	Peelle.	150, 267, 398, 512, 605, 1168, 1181, 1188, 1225.
✓ 149	A BILL to amend section 4 of an act entitled "An act providing for voluntary assignments of personal and real property in trust for the benefit of creditors, and regulating the mode of administering the same," approved March 5, 1859, and to amend section 10 of the same act as amended by an act entitled "An act amendatory and supplemental to the above entitled act," approved February 1, 1875, and as amended by an act entitled "An act to amend section 10 of the above entitled act," approved February 26, 1875, and supplemental thereto.	Craft.	151, 267, 317, 374, 467.

✓ 150	A BILL to exempt benefits, claims and interest of the wives, children and dependents of members of Masonic, Odd Fellows and other charitable societies, and exempting certain policies of life insurance from the claims of creditors, and designating the place where such corporations shall be sited, and providing for changing the names of payees or beneficiaries as may be agreed upon by the members of such societies or incorporations and the societies and incorporations of which they are members.	Craft.	151, 267, 553, 614, 637, 883, 886, 887, 892, 924.
✓ 151	A BILL regulating the tenure of office of county commissioners, and repealing all laws inconsistent therewith.	Zebring.	151, 267, 520, 607, 634, 661, 752.
✓ 152	A BILL authorizing boards of county commissioners to construct gravel, macadamized, turnpike or other improved wagon roads, and make them free to all persons traveling thereon.	Scott.	151, 267, 444, 825.
✓ 153	A BILL in relation to plank, gravel and turnpike road companies, to fix the rates of toll thereon in certain cases, to prevent the opening of ways around toll gates, to provide for injunctions and fixing and providing for the collection of penalties.	Foster of Monroe.	151, 267, 512, 605.
✓ 154	A BILL to legalize the incorporation of the city of Bloomington, Monroe county, Indiana, and all official acts done by the Common Council and officers of said city.	Foster of Monroe.	152, 267, 815.
✓ 155	A BILL to provide for a uniform assessment of property, and for the levy, collection and return of taxes thereon in incorporated towns in this State, and declaring an emergency.	Foster of Monroe.	152, 267, 817, 822, 887, 1159.
✓ 156	A BILL to amend section 2 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto," approved March 8, 1873.	Grubbs.	152, 267, 501.
✓ 157	A BILL regulating the continuance of criminal causes on account of the absence of evidence.	Hall.	152, 267, 860, 1117.
✓ 158	A BILL providing for the rendition of judgments on appeal bonds.	Hall.	152, 267, 821.
✓ 159	A BILL to amend section 3 of an act entitled "An act to regulate foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in the collection thereof, and providing penalties for the violation of this act," approved March 12, 1875.	Reno.	152, 267, 832.
✓ 160	A BILL to amend sections 4 and 5 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of this act by officers and others, and also repealing 'an act to license dogs,' approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled 'an act for the protection of sheep,' approved June 18, 1852, and also to repeal section 3 of said act," approved March 2, 1866.	Freeman.	153, 268, 810, 885, 1129.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 161	A BILL establishing County Courts, and providing for the election and compensation of Judges thereof, abolishing boards of county commissioners and transferring the business thereof, and for transferring probate matters of circuit courts to said county court.	Freeman.	153, 208, 286, 501.
✓ 162	A BILL to amend section 10 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and declaring an emergency.	Stewart.	153, 268, 766.
✓ 163	A BILL to provide for the redemption of personal property sold for taxes, repealing all laws in conflict herewith, and declaring an emergency.	Stewart.	156, 268, 399.
✓ 164	A BILL to amend sections 2 and 3 of an act entitled "An act providing for the election, and prescribing certain duties of County Surveyors," approved June 17, 1852.	Welborn.	156, 268, 523.
✓ 165	A BILL to amend sections 48 and 49 of an act regulating general elections, and prescribing the duties of officers in relation thereto, approved June 7, 1852.	Welborn.	156, 268, 165.
✓ 166	A BILL to amend section 2 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873.	Crumpacker.	156, 268, 502.
✓ 167	A BILL authorizing county commissioners to offer rewards for the apprehension and conviction of horse thieves in certain cases.	Crumpacker.	157, 269, 409, 512, 607.
✓ 168	A BILL repealing an act entitled "An act to authorize the construction of railroads by counties and townships taking stock in and making donations to railroad," approved May 12, 1859.	Priest.	157, 269.
✓ 169	A BILL to provide for the detection and arrest of felons.	Moorman.	157, 269, 383.
✓ 170	A BILL to authorize township trustees to district their townships for road purposes, the election of road supervisors, assigning them their duties, and the duties of township trustees in regard to roads and highways, and repealing all laws in conflict therewith.	Elwell.	157, 269, 824.

✓ 171	A BILL for an act in relation to prosecuting attorneys and providing a mode of bringing witnesses before courts of justice, and their examination in reference to felonies and misdemeanors and matters properly connected therewith, and repealing all laws in conflict with this act.	Kennedy of Rush.	157, 364.
✓ 172	A BILL to provide liens in favor of agricultural, horticultural, or mechanical associations and the enforcement thereof, and for the appointment of a police force for such association, and prescribing its powers.	Girton.	158, 412, 512, 607.
✓ 173	A BILL to fix the time of holding courts of justices of the peace in civil causes, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.	Ashby.	158, 270, 363.
✓ 174	A BILL to amend section 57 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852.	Coffman.	158, 270, 547.
✓ 175	A BILL, providing for the construction of fish ladders over the dams across the St. Joseph river.	Leeper.	158, 270, 397, 512, 608, 1211, 1226, 1232.
✓ 176	A BILL in relation to the empanneling of juries in civil causes.	Langdon.	158, 270.
✓ 177	A BILL to establish the rate of interest, providing for the recoupment of usurious interest, and for the collection of attorney's fees, repealing all laws in conflict therewith, and declaring an emergency.	Oglebay.	158, 270, 402.
✓ 178	A BILL amendatory of section 1 of an act entitled "An act fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery," approved December 19, 1872.	Kennedy of Union.	159, 270, 509.
✓ 179	A BILL to amend section 15 of an act entitled "An act to provide for the general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865.	Mathewa.	160, 270, 762.
180	A BILL to appropriate money for liquidating indebtedness of the State Normal School, and for fencing the grounds, and for incidental expenses for 1877 and 1878.	Carlton.	161, 270.
✓ 181	A BILL to confirm and legalize the corporate name and organization of the Rose Polytechnic Institute.	Carlton.	161, 270, 359, 378, 470, 891, 903, 906, 996.
✓ 182	A BILL to require railroads to appoint an agent in each county in this State through which the same may run, on whom service of process may be made, and providing for the mode of trial and punishment of the same for failing to appoint such agents.	Yaryan.	161, 270, 337, 404, 737, 908, 958, 1226, 1232.
183	A BILL providing for the organization and government of the State Prisons, for the appointment of a Board of Directors to have charge thereof, to empower said Board or their appointees to visit county or other prisons, and report thereon, to assist deserving convicts in procuring employment when discharged from prison, and for other matters pertaining to the discipline, management and wants of prison and convicts, and to repeal all laws and parts of laws inconsistent with the provisions of this act.	Yaryan.	161, 270.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 184	A BILL to amend section 1 of an act to provide for the regulation of the running at large of all kinds of domestic animals within the different counties of the State, to provide for the taking up, impounding and selling of all such animals as shall not be allowed to run at large, approved May 31, 1852.	Carr.	161, 270, 399, 460, 600, 1211.
✓ 185	A BILL for the relief of persons whose property was taken, injured and destroyed by the United States or State troops, under the command of Generals Hobson, Love, Wallace and others, while in pursuit of the rebel forces under John Morgan, in the year 1863.	Overmyer.	162, 270, 394, 441.
✓ 186	A BILL to amend section 249 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.	Viehe.	162, 270, 221, 399, 482.
✓ 187	A BILL to amend section 53 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes," approved December 21, 1872, and declaring an emergency.	Riley.	162, 270, 529.
✓ 188	A BILL to amend sections 1 and 2 of an act entitled "An act concerning interest on money, and to provide for receiptment of usurious interest," approved March 9, 1867, and declaring an emergency.	Riley.	162, 270, 487, 538, 607, 656.
✓ 189	A BILL to amend section 1 of an act entitled "An act regulating interest on judgments," approved February 5, 1873, and declaring an emergency.	Riley.	162, 271, 487.
✓ 191	A BILL to amend sections 4, 6 and 7 of an act entitled "An act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such court, and for the compensation of such Reporter," approved March 13, 1875, and declaring an emergency.	Austin.	185, 271, 360, 406, 753, 860, 985, 1033, 1133, 1159, 191.
✓ 192	A BILL to provide for the management and control of public highways, and to provide free gravel and macadamized roads, and the management and control thereof, and repealing all laws in conflict with this act, and declaring an emergency for the immediate taking effect thereof.	Foster of Allen.	185, 271, 348.
✓ 193	A BILL to repeal section 1 of an act entitled "An act to amend section 205 of an act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872, and March 16, 1875, and declaring an emergency.	Cook.	194, 271, 486.

✓ 194	A BILL to amend sections 3 and 4 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others," and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "an act for the protection of 'sheep,'" approved June 15, 1852.	Bumgarner.	194, 271, 810, 860, 1117, 1205, 1212, 1213, 1233.
✓ 195	A BILL legalizing dissections of human bodies for anatomical and surgical study, providing the manner of obtaining material for such dissection and penalties for violation of its provisions.	Bumgarner.	195, 271, 558, 623, 648.
✓ 196	A BILL regulating interest on money contracts, judgments and accounts, and providing for recoupment set off, and the recovering back of illegal interest, and repealing all other laws and parts of laws coming in conflict with this act.	Compton.	195, 271, 379.
✓ 197	A BILL for the relief of temporary poor, providing for the expense thereof, prescribing certain duties of township trustees, repealing all laws in conflict therewith, and declaring an emergency.	Paige.	195, 271, 405.
✓ 198	A BILL prescribing the rights of widows and children in certain cases, defining the duties of executors and administrators in relation thereto, repealing all laws in conflict with their acts, and declaring an emergency.	Paige.	195, 271, 593.
199	A BILL to amend section 9 of an act entitled "An act to enable the owners of wet lands to drain and reclaim them where the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith," approved March 11, 1867.	Paige.	195, 271, 555, 1228.
✓ 200	A BILL to amend section 11 of an act entitled "An act to regulate and license the sale of spirituous, vinous and malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all former laws regulating the sale of intoxicating liquors and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof and declaring an emergency," approved March 17, 1875.	Paige.	195, 271, 412.
✓ 201	A BILL defining the powers and duties of school meetings and the qualification of voters thereat.	Benz.	196, 271, 766.
202	A BILL to protect the public service from being corrupted by the use of money or intoxicating liquor, or by promises of money, property or position by candidates, declaring who shall be ineligible, what shall cause vacancies, and providing penalties.	Benz	196, 271.

No.	TITLE.	BY WHOM.	ACTION THEREON.
203	A BILL to amend an act entitled "An act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways, and for straightening or altering of water-courses by the cities of this State, and providing for the appointment of commissioners to assess benefits and damages, prescribing their duties and the method of procedure, and providing for the collection of benefits and payment of damages, and prescribing the duties of city officers in relation thereto, and providing remedies in such matters," approved March 17, 1875.	Johnson of Dearborn.	195, 271, 546.
204	A BILL to repeal an act entitled "An act requiring the officers of certain corporations therein named to make out and publish annual statements, and providing penalties for the violation thereof.	Johnson of Dearborn	196, 271, 421.
205	A BILL creating — judicial circuit, providing for the appointment and election of a judge and prosecuting attorney therein, regulating the terms of court therein and the return of process thereto, repealing all laws in conflict therewith, and declaring an emergency for the immediate taking effect thereof.	Lockhart.	197, 271, 375.
206	A BILL to prevent accidents by railroads, prescribing penalties for violation, and declaring an emergency.	Lockhart.	197, 271, 518, 656, 663.
207	A BILL authorizing the assessment of lands for plank, macadamized and gravel road purposes, and prescribing the manner of assessing and collecting the same.	Koontz.	197, 272, 829, 1256.
208	A BILL relating to the prosecutions of felonies not punishable with death, and misdemeanors in the criminal and circuit courts by affidavit and information, repealing all laws in conflict with this act.	Gossman.	197, 272, 569, 623, 644.
209	A BILL to amend section 4 of an act entitled "An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved March 6, 1852, and to repeal all laws in conflict with this act.	Gossman.	197, 272, 733.
210	A BILL to amend sections 1 and 2 of an act entitled "An act making it unlawful for owners and proprietors of billiard tables to suffer or permit minors to play at or upon the same, or to suffer or permit minors to congregate at and about such billiard tables, and providing penalties for the violation of this act," approved March 8, 1873.	Gossman.	197, 272, 321, 1181.
211	A BILL concerning changes of venue in the Circuit Court.	Thompson of Elkhart	199, 272, 378.
212	A BILL providing for the publication of official matters in German newspapers, and declaring an emergency.	Albert.	199, 272, 375.
213	A BILL supplementary to an act entitled "An act authorizing the purchasers of plank roads and macadamized or gravel roads, or parts thereof, under mortgages or deeds of trust, to organize as	Cooley.	203, 272, 826, 1121.

214	✓	incorporated companies, and prescribing their powers and duties," approved March 5, 1859, to authorize such corporations, after having complied with the above provision, to reorganize in accordance with the provisions of this act, the provision to extend to other chartered road corporations, and declaring an emergency.	Copeland.	203, 272, 404, 480, 527, 911, 942, 960, 977.
215	✓	A BILL to amend section 6 of an act entitled "An act to create the Forty-first Judicial Circuit, to amend sections 34 and 39 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time for holding courts therein, abolishing the courts of common pleas and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for the holding terms of courts in the Thirty-third and Thirty-eighth and Forty-first circuits, and repealing all laws inconsistent therewith," approved March 9, 1876.	Swayzee.	203, 272, 496, 587, 616.
216	✓	A BILL to amend section 408 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1853.	Swayzee.	203, 272, 487.
217	✓	A BILL to amend section 83 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.	Baxter.	204, 272, 592.
218		A BILL to provide for the redemption of personal property, sold on execution, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.	Baxter.	204, 272.
219		A BILL to repeal section 172 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.	Garver.	204, 272.
220	✓	A BILL to repeal sections 4 and 5 of an act entitled "An act in relation to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1859.	Garver.	204, 272, 380, 399, 482.
221		A BILL to prevent hogs running at large without a ring in the nose.	Warrum.	204, 272, 398.
222	✓	A BILL to amend section 13 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, approved March 9, 1861.	Hubbard.	204, 272, 580.
223		A BILL to provide for and require children from eight years to fourteen years of age to attend school, or to be instructed at home, at least 14 weeks in each year, and other matters pertaining thereto.	Hubbard.	205, 272.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 224	A BILL for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements and articles of obscene and immoral use, and articles for procuring abortion, and to repeal all acts in conflict with this act.	Hubbard.	205, 273, 413.
✓ 225	A BILL concerning transient persons, poor persons from homes and common vagrants, defining the duties of township trustees, mayors of cities and county commissioners in relation to them, prescribing penalties, and other matters pertaining thereto.	Hubbard.	205, 273, 525.
✓ 226	A BILL fixing the per diem and mileage of members of the General Assembly, the compensation of the elective officers and payees therein, defining certain duties of said officers, and repealing all laws and parts of laws in conflict therewith.	Thompson of Howard.	205, 273.
✓ 227	A BILL making it a misdemeanor to sell, convey, or conceal mortgaged chattels in certain cases, and prescribing penalties therefor, and declaring an emergency.	Bradyan.	205, 273, 364, 385, 597.
✓ 22	A BILL empowering incorporated towns to construct and maintain work houses, and to authorize the imprisonment therein of persons convicted of offenses against the laws and ordinances of such incorporations, and prescribing the powers and rights of such incorporations, and the manner in which they shall exercise the same, in such matters as pertain thereto, and declaring an emergency.	Lehman.	205, 273, 823.
✓ 229	A BILL to amend section 22 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.	Viehe.	208, 273, 496, 623, 645.
✓ 230	A BILL to amend section 1 of an act entitled "An act to amend section 269 of an act entitled 'an act to provide for the uniform assessment of property and for the collection and return of taxes thereon' approved December 21, 1872, approved March 11, 1875.	Viehe.	208, 273, 688, 830.
✓ 231	A BILL creating a department of statistics in the office of the Secretary of State, and prescribing rules and regulations for the government of the same.	Henderson.	208, 273.
✓ 232	A BILL to authorize the Auditor of State to make a deed to Robert J. Johnson for certain land therein described.	Henderson.	208, 273.
✓ 233	A BILL to provide for the printing, binding, proof-reading and indexing of the Senate and House Journals, and declaring an emergency.	Henderson.	208, 273, 834.
✓ 234	A BILL supplementary to an act approved March 14, 1867, entitled "An act to repeal all general laws now in force for the incorporation	Adams.	208, 273, 503, 615, 643, 905, 912, 960, 977, 1031.

✓ 235	of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto."				
✓ 236	A BILL to enable boards of underwriters, incorporated by or under the laws of the State of Indiana to establish and maintain a fire patrol.	Craft.	209, 273, 423, 512, 609, 1196, 1211, 1212, 1213, 1233.		
✓ 237	A BILL providing for the election of school directors, prescribing their powers, duties and qualifications, repealing all laws in conflict therewith, and declaring an emergency.	McGaughey.	209, 273, 528, 822, 1079.		
✓ 238	A BILL to amend section 207 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."	Peelle.	209, 273, 570.		
✓ 239	A BILL for the suppression of the traffic in and circulation of obscene literature, and prescribing punishment for its violation.	Peelle.	209, 273, 414, 467, 512, 614, 764, 1191, 1211, 1212, 1233.		
✓ 240	A BILL fixing the fees of constables, repealing section 26 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875, prescribing certain duties of constables and forfeiture of fees on failure, repealing conflicting laws, and declaring an emergency.	Houghton.	209, 273, 755.		
✓ 241	A BILL prescribing the number of jurors required to find a verdict in civil causes.	Zehring.	209, 274, 569, 757.		
✓ 242	A BILL amending section 3 of an act entitled "An act for the relief of the Lye Creek Draining Association," approved March 10, 1873.	Hulet.	210, 274, 404, 480.		
✓ 243	A BILL to amend section 9 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, and declaring an emergency.	Scott.	210, 274, 365.		
✓ 244	A BILL to prevent extortionate and unjust charges for the transportation of passengers and freight, by railroad corporations.	Hall.	210, 274, 802, 860, 1118.		
✓ 245	A BILL to amend an act entitled "An act to provide for township elections," approved June 15, 1852, approved April 26, 1869, and providing for an election under this act.	Zimmerman.	210, 274, 615, 640.		
✓ 246	A BILL defining the crime of keeping a bawdy-house, prescribing the punishment therefor, and providing that certain persons may be compelled to testify against a defendant prosecuted thereunder.	Freeman.	211, 274, 399, 408, 603.		
✓ 247	A BILL to repeal an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1871, and providing that nothing in this act shall be construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved June 15, 1852, approved March 2, 1865, and to provide for the disposition of the money collected under said act.	Perigo.	211, 274, 535.		

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 247	A BILL to repeal section 9 of an act supplemental to an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and supplemental sections added thereto March 8, 1873, and declaring an emergency.	Stewart.	211, 274.
✓ 248	A BILL fixing a time for electing a State Librarian, the Directors of the State Prisons North and South, Trustees of the Deaf and Dumb, Insane and Blind Asylums; also, of the Soldiers' Orphans' Home and President of the Joint Board of Trustees of the Benevolent Institutions.	Lane.	211, 274, 485, 592, 617.
✓ 249	A BILL requiring the officers of certain corporations therein named to make out and publish annual statements, and providing penalties for the violation thereof.	Morrison.	212, 274, 415.
✓ 250	A BILL to amend section 1 of an act entitled "An act repealing an act entitled 'an act to amend sections 3 and 14 of an act entitled an act to allow county commissioners to organize turnpike companies when three fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free,' approved March 6, 1865, approved March 9, 1867, and also the act entitled 'an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject,' approved March 14, 1869, and declaring an emergency," approved March 13, 1875.	Endaley.	212, 274, 422, 570, 623, 630, 761, 890, 886, 887, 892, 924.
✓ 251	A BILL to amend section 27 of an act entitled "An act for the relief of the poor," approved June 9, 1852, to allow temporary sick paupers or their friends, the liberty of choice in the employment of physicians, and allowing such physicians fixed fees for their services in such cases; and fixing the time for the taking effect of this act.	Ashby.	212, 274, 411.
✓ 252	A BILL fixing fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws.	Butler.	212, 274, 765.
✓ 253	A BILL to provide for the reduction of the rate of interest in the State of Indiana.	Butler.	212, 274.
✓ 254	A BILL authorizing justices of the peace to require additional replevin bail in cases where insufficient bail has been taken, and	Leeper.	213, 274, 363, 378, 470.

✓ 255.	where the replevin bail has become insufficient to secure the payment of the judgment. A BILL to authorize county commissioners of the several counties of this State to purchase the blank books, stationery and printed forms for the use of the several county officers, and for the conduct of the public business, prohibiting their purchase by any other persons, defining penalties and prescribing punishment for violation of the provisions of this act by said commissioners, or by other persons therein named, and declaring an emergency. A BILL to amend section 1 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act," approved December 21, 1865, and adding supplemental sections thereto.	Langdon.	213, 275, 531.
✓ 256	A BILL to amend section 1 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act," approved December 21, 1865, and adding supplemental sections thereto.	Langdon.	213, 275, 423, 611, 900, 903, 906, 996
✓ 257	A BILL to authorize the recording of exemplifications of land patents of the United States, giving them, when so recorded, the same validity as the original patents, and declaring an emergency.	Langdon.	213, 275, 593, 635, 651.
✓ 258	A BILL to provide for the taxation of all property.	Oglebay.	213, 275, 401, 689.
✓ 259	A BILL to authorize boards of commissioners of counties to improve public highways in their respective counties by causing the same to be graded or macadamized after the same are graded, and authorizing such boards of commissioners to levy a tax therefor, and declaring an emergency.	Whitehead.	213, 275, 622, 826.
✓ 260	A BILL to amend section 2 of "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852.	Conley.	214, 275, 524.
✓ 261	A BILL to amend section 38 of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852, and declaring an emergency.	Carlton.	214, 275, 381, 483, 905, 922, 934, 927, 978, 996.
✓ 262	A BILL amending section 24 of an act entitled "An act fixing the fees, salaries, duties of corporation officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.	Sallora.	214, 275, 510, 607, 635.
✓ 263	A BILL to amend an act entitled "An act providing for the appointment of notaries public, and defining their duties and powers," approved June 9, 1852.	Collins.	214, 275, 380.
✓ 264	A BILL to repeal sections 260 and 261 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity."	Yaryan.	214, 275, 498, 596.
✓ 265	A BILL to amend section 256 of act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Yaryan.	214, 275.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 265	A BILL to amend section 1 of an act entitled "An act to exempt property from execution in certain cases," approved February 17, 1872.	Yaryan.	215, 275, 497.
✓ 267	A BILL to amend section 2 of an act entitled "An act defining who shall be competent witnesses in any court or judicial proceeding in this State, and to repeal all laws and parts of laws in conflict with the provisions of this act," approved March 11, 1867.	Yaryan.	215, 275, 359, 515.
268	A BILL making the unlocking or breaking and entering into cars belonging to or in the possession of a railroad company, with intent to feloniously steal, take and carry away any of the goods contained in such cars, a felony, fixing the penalty, and declaring an emergency.	Marsh.	222, 275, 494, 519, 611.
✓ 269	A BILL to amend section 18 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.	Marsh.	222, 275, 733, 860, 1119.
✓ 270	A BILL to amend section 12 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873.	Marsh.	222, 275, 559, 623, 646.
✓ 271	A BILL in relation to foreign express companies doing business in this State, defining their duties, and providing for the safety of money, merchandise and other articles entrusted to their care.	Marsh.	222, 275, 719, 817, 1080.
✓ 272	A BILL providing for the contracting and repairing roads and highways, defining the duties of township trustees, electing road supervisors and defining their duties, and other matters connected therewith; levying a road tax, repealing all conflicting laws, and declaring an emergency.	Wells.	259, 276, 825, 1128, 1217.
✓ 273	A BILL to amend section 7 of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852.	Morgan.	260, 273, 409, 460, 601.
✓ 274	A BILL concerning the powers of sheriffs, and authorizing them to serve State warrants in certain cases in any counties in this State, to call to their aid the power of the county in such counties, and declaring an emergency.	Collins.	283, 352, 607, 635.
✓ 275	A BILL to amend section 8 of "An act to enable incorporated towns to lay out, open, grade and improve streets and alleys and make public improvements thereon, and to make surveys and adopt plans where the same have been lost or destroyed, and prescribing the duties of the board of trustees and providing for the mode of working and improving streets and alleys, and declaring an emergency," approved April 27, 1869.	Spencer.	283, 352, 816.

✓ 276	A BILL to authorize the boards of county commissioners to transfer a license to sell intoxicating liquors from the premises where granted to other premises, and providing for an emergency.	Spencer.	283, 352, 524, 528.
277	A BILL to provide for the protection of wild game, defining the time in which the same may not be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith and declaring an emergency.	Foster of Allen.	283, 352, 512, 1226.
278	A BILL to amend an act entitled "An act to authorize the board of county commissioners to appoint Justices of the peace where vacancies may occur in said office," approved March 10, 1875, and adding a supplemental section.	Foster of Allen.	283, 352, 742, 1226.
✓ 279	A BILL repealing an act entitled "An act to amend section 5 of an act entitled 'an act to prohibit the collection of tolls on gravel, macadamized, turpike and plank roads, in certain cases, and to provide the mode of declaring charters of such roads forfeited in certain cases, and repealing all laws inconsistent therewith,'" approved March 5, 1859, and declaring an emergency, approved February 25, 1875, and declaring an emergency.	Cook.	284, 352, 551, 1181, 1183, 1226.
✓ 280	A BILL to provide for the protection of the estates of minors, requiring guardians to execute mortgages as additional security, providing for the sale and disposition of real estate mortgaged, and defining certain duties of county recorders and other officers.	Benz.	284, 352, 492.
✓ 281	A BILL to amend section 2 of an act entitled "An act to amend sections 8 and 10 of an act entitled 'an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases,'" approved June 9, 1852, approved March 11, 1861.	Johnson of Dear born.	284, 352, 386.
✓ 282	A BILL removing the disability whereby husband and wife are prohibited from testifying for or against each other, and permitting them to testify in the courts of this State as other witnesses, and repealing all laws coming in conflict with the provisions of this act.	Johnson of Dear born.	284, 352, 491.
✓ 283	A BILL to amend section 550 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish disjunct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Johnson of Dear born.	284, 352, 741.
✓ 284	A BILL to entitle the trustees of two or more adjacent townships to form a new school district and build a school house therein, and fixing the manner in which such expense shall be borne, and declaring an emergency.	Madden.	286, 352, 522, 623, 646, 978, 1024, 1029, 1034, 1105.
285	A BILL to amend sections 17, 26, 164, and supplemental section 8 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1879.	Koontz.	286, 353.

HOUSE BILLS—Continued.

1314

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 286	A BILL relating to common schools, providing for the selection of teachers, distributing of the school fund, the manner of determining what branches shall be taught in common schools, and defining who shall be a legal voter in such school district, and repealing all laws coming in conflict therewith.	Gossman.	287, 353, 367, 504.
287	A BILL requesting and authorizing the Treasurer of State to transmit certain moneys to the common school funds.	Gossman.	287, 353, 627.
288	A BILL authorizing the Treasurer of State to close the account of the three per cent. fund, and declaring an emergency.	Gossman.	287, 353, 563.
✓ 289	A BILL to legalize sheriffs', guardians' and administrators' sales.	Gossman.	287, 353, 504, 1144.
✓ 290	A BILL to relieve all persons from performing labor on the public highways, other than to work out their taxes.	Gossman.	287, 353, 825.
291	A BILL regulating the publishing of the delinquent tax list, sheriffs', guardians' and administrators' sales, and all other public notices required to be published in any county paper.	Gossman.	287, 353.
✓ 292	A BILL to appoint a Board of State House Commissioners, to authorize the erection of a new State House, issuing bonds therefor to pay for the same, and defining the duties of such commissioners, and conferring certain powers upon the city of Indianapolis in relation thereto, making certain acts of officers connected therewith unlawful, defining certain felonies and prescribing the punishment therefor, and declaring an emergency.	Gossman.	288, 353, 587.
✓ 293	A BILL guaranteeing the inalienable right to all persons or citizens of the State of Indiana to eat, drink and wear whatever they choose.	Gossman.	288, 353.
✓ 294	A BILL to amend section 1 and to repeal section 3 of an act entitled "An act to amend sections 15 and 16 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties,' approved June 11, 1862, and providing for the election of the town marshal by the town trustees, and declaring an emergency," approved March 10, 1873.	Haus.	288, 353, 545.
295	A BILL to amend section 2 of an act to provide for the protection of wild game, and defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, approved March 11, 1869, and also providing for the protection of certain birds therein named, and affixing a penalty.	Haus.	288, 353, 517.
✓ 296	A BILL to amend section 3 of an act entitled "An act regulating the issuing and taking up of tickets and coupons of tickets by common carriers, and defining the rights of holders thereof, and other matters relating thereto," approved March 9, 1875.	Swayzee.	289, 353, 807.

✓ 297	A BILL regulating over-charges for transportation of freight by the various railroad corporations doing business in the State of Indiana, providing penalty, and declaring an emergency.	Swayzee.	289, 353, 805.
✓ 298	A BILL concerning the three per cent. fund, and the disposal thereof.	Swayzee.	289, 353, 563, 860.
✓ 299	A BILL to amend section 64 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1875.	Baxter.	289, 353, 382, 389.
300	A BILL to amend sections 1 and 2 of an act entitled "An act to provide for the redemption of personal property sold for taxes," approved March 13, 1875.	Baxter.	289, 353, 517.
✓ 301	A BILL to amend sections 3, 4 and 9 of an act entitled "An act to regulate and license the sale of spirituous, vinous and malt, and other intoxicating liquors, to limit the license fee to be charged by other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof," approved March 17, 1875, and declaring an emergency.	Baxter.	289, 353.
✓ 302	A BILL to amend sections 155, 161 and 208, and to repeal section 170 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872.	Baxter.	290, 353, 486.
✓ 303	A BILL defining and limiting the jurisdiction of grand juries, and repealing all laws inconsistent with this act.	Warrum.	290, 354, 499.
✓ 304	A BILL providing for the organization of county courts, and providing for the appointment and election of county judges, and defining their duties and powers in relation thereto, and abolishing the office of county commissioner, repealing all laws in conflict herewith, and declaring an emergency.	Askren.	290, 354, 499.
✓ 305	A BILL to provide that all State and county officers, and all superintendents, trustees and directors of State institutions, shall make their annual reports to conform with the termination of the State fiscal year, viz: October 31st, except county auditors, whose annual report shall be made on the 31st day of August in each year, and to repeal the provisions of any act in conflict herewith.	Hubbard.	290, 354, 487.
✓ 306	A BILL authorizing the assessment of lands for macadamized and gravel road purposes, and prescribing the manner of assessing and collecting the same.	Thompson of Howard.	290, 354, 825.
✓ 307	A BILL to exempt five hundred dollars worth of personal and real property from seizure and sale on execution to householders, and to suspend all sales by executions for one year, and declaring an emergency.	Branyan.	291, 354, 735.

HOUSE BILLS—Continued.

1316

No.	TITLE.	BY WHOM.	ACTION THEREON.
308	A BILL to amend section 1 of an act entitled "An act to authorize township trustees of incorporated towns, and the common councils of cities, to levy a tax for school purposes," approved March 9, 1867.	Henderson.	291, 354.
309	A BILL concerning the release of sureties upon retailers' bonds, providing for the giving of new bonds, and for the revocation of retailers' license in case the same are not given.	Henderson.	291, 354, 491, 550, 619.
310	A BILL to repeal sections 1, 2 and 3 of an act entitled "An act regulating the election and duties of State Librarian," approved May 27, 1852, and to repeal section 1 of an act entitled "An act to amend an act entitled 'an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an assistant librarian and clerk,'" approved March 4, 1859, and also increasing the powers and duties of the State Librarian," approved December 20, 1865, and supplemental section, fixing the term of office of the State Librarian and the time when the same shall commence, approved February 19, 1867.	Henderson.	291, 354, 854.
311	A BILL to amend sections 208 and 210 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and found on page 121 of volume 1 of Davis' late edition of the Statutes of Indiana.	Smith.	292, 354, 410, 429, 926, 443, 960, 977, 998.
312	A BILL to prescribe the manner in which collections shall be made upon executions, and directing how partial collections upon the same shall be applied, and declaring an emergency.	Craft.	292, 354.
313	A BILL to encourage railroad companies to erect and maintain alarms and signals at public crossings, and declaring an emergency.	Craft.	292, 354.
314	A BILL to amend sections 1, 11 and 12 of an act entitled "An act to exempt property from sale in certain cases," approved February 17, 1852.	Peelle.	292, 354, 490, 550, 620.
315	A BILL to create an insurance department.	Peelle.	293, 354, 830.
316	A BILL to define and regulate the business of life insurance.	Peelle.	294, 354, 831.
317	A BILL to define and regulate the business of insurance companies other than life.	Peelle.	295, 354, 911.
318	A BILL to legalize the proceedings of boards of county commissioners and boards of trustees of incorporated towns, relative to the	Peelle.	296, 354, 546.

319	annexation of territory to such towns, and the levy and collection of taxes and proceedings relative thereto. A BILL to amend section 43 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.	Peelle.	296, 354, 487.
320	A BILL legalizing the entries made and entered in the tract book of land entries of Marion county.	Adams.	296, 354, 543, 635, 651.
321	A BILL to punish the indiscriminate use of second-hand barrels for the purpose of packing family supplies in for sale or use, and defining the punishment therefor, and declaring an emergency.	Adams.	296, 354, 801, 1129.
322	A BILL to authorize and provide for the erection of a new State House and for matters pertaining thereto.	Adams.	297, 354, 587, 823, 848, 860, 884, 888, 1126, 1150, 1194, 1196, 1211, 1212, 1213, 1233.
323	A BILL to amend an act to provide for the opening, vacating and changing of highways, approved June 17, 1852, repealing all laws inconsistent therewith and declaring an emergency.	Zehring.	297, 355, 552.
324	A BILL to amend section 9 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.	Hulett.	297, 355, 783.
325	A BILL repealing an act entitled "An act requiring county auditors to publish a statement of all the allowances made by the county commissioners," approved March 9, 1875, and declaring an emergency.	Hulett.	297, 355, 521, 526, 656, 663.
326	A BILL for the relief of Henry Rott and John W. Harryman, sureties upon the bond of Martin L. Suedgrass, deceased, former Trustee of Bloomington township, Monroe county, Indiana, and to authorize the proper officers to levy a sufficient tax to make up the deficit arising upon said Trustee's defalcations, and for other matters connected therewith.	Foster of Monroe.	297, 355, 905.
327	A BILL to amend an act entitled "An act regulating the granting of divorces, nullification of marriages and decrees, and orders of courts incident thereto, and repealing all laws conflicting with this act," and declaring an emergency, approved March 10, 1873.	Grubb.	298, 355, 592, 615, 643.
328	A BILL legalizing the election of officers of the town of Kentland.	Hall.	298, 355, 375, 466, 905, 922, 934, 977, 978, 997, 1210.
329	A BILL providing that where there is no sufficient prison in any county prisoners may be confined in the jail of another county.	Hall.	298, 355, 525, 537, 629.
330	A BILL concerning documentary evidence.	Hall.	298, 355, 749.
331	A BILL regulating the duties of township trustees.	Reno.	298, 355, 521.
332	A BILL to amend section 11 of an act entitled "An act fixing the fees, salaries, duties and compensation of officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.	Hathfield.	298, 355, 811, 894, 911.
333	A BILL to authorize cities to issue bonds for the purpose of funding their indebtedness, reducing the rate of interest on pre-existing obligations, compromising with any creditor or creditors, or taking up and canceling bonds, notes or other securities already due, or which shall hereafter become due, and making it the duty of the common councils of the cities to levy taxes for the payment of the interest and to provide sinking funds for the liquidation of the principal of said bonds.	Welborn.	298, 355, 515, 615, 642, 904, 922, 934, 977, 978, 997.

No.	TITLE.	BY WHOM.	ACTION THEREON.
334	A BILL to enlarge the legal capacity of married women whose husbands are insane, and enable them to contract in relation to their separate property and sell and dispose of the same, and execute conveyance thereof, as if they were unmarried.	Welborn.	299, 355, 491.
✓ 335	A BILL to make demands against railroads a lien, etc.	Welborn.	299, 355, 403, 468, 604.
✓ 336	A BILL to amend section 26 of an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1862, and declaring an emergency.	Crumpacker.	299, 355, 553.
✓ 337	A BILL for the incorporation and continuance of building loan fund and savings associations, and repealing laws on that subject, approved March 5, 1867, and March 7, 1873, and legalizing all such associations now in existence," approved March 11, 1875.	Moorman.;	299, 355, 528.
✓ 338	A BILL requiring attorneys at law to pay over money or other property by them collected, and providing a penalty for failing or refusing to do so.	Elwell	299, 355.
✓ 339	A BILL requiring surviving partners to give bond and security in the settlement of the estates of deceased partners, and declaring an emergency.	Kennedy of Rush.	299, 355, 519, 609.
✓ 340	A BILL repealing parts of an act entitled "An act repealing an act entitled an act to amend sections 3 and 14 of and act entitled an act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within the prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free, approved March 6, 1865, approved March 9, 1867, and all the act entitled "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject," approved March 11, 1867, approved March 14, 1869, and declaring an emergency, which act so entitled repealed an act entitled "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject, approved March 11, 1867," approved May 14, 1869, and to revive the said act approved May 14, 1869, so repealed, and providing that plank, macadamized, turnpike and gravel road companies hereafter organized, shall not have the benefits of the said acts so revived, and declaring an emergency.	Girton.	300, 356, 421.
✓ 341	A BILL to encourage the construction of free gravel roads.	Bumgarner.	301, 356, 824.

✓ 342	A BILL to amend section 43 of an act entitled "An act defining felonies and prescribing punishment therefor," approved January 10, 1852.	Ashby.	301, 356, 742, 790, 865.
✓ 343	A BILL declaring agreements to pay attorneys' fees contained in any bill of exchange, acceptance, draft, promissory note or other written evidence of indebtedness, illegal and void, and repealing all laws or parts of laws in conflict with this act.	Butler.	301, 356, 516.
✓ 344	A BILL to amend section 1 of an act entitled "An act providing for the protection of fish, repealing all laws in conflict with the same, and prescribing penalties for violation thereof," approved February 22, 1871.	Leeper.	301, 356, 801, 869, 1110, 1191, 1211, 1212, 1233.
✓ 345	A BILL to fix the times of holding the terms of the Circuit Court in the Twenty-third Judicial Circuit, composed of the County of Tippecanoe.	Langdon.	301, 356, 498, 622.
✓ 346	A BILL to fix the time of holding the terms of the Superior Court of Tippecanoe county.	Langdon.	301, 356, 498, 587, 622, 905, 922, 934, 977, 978, 997.
✓ 347	A BILL to repeal section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for violation thereof," approved February 22, 1871.	Oglebay.	302, 356, 514.
✓ 348	A BILL to repeal an act entitled "An act to encourage the destruction of wolves and foxes, repealing all laws or parts of laws inconsistent therewith, and declaring an emergency."	Oglebay.	302, 356, 517.
✓ 349	A BILL to amend section 1 of an act approved March 13, 1875, relating to an act supplementary and amendatory to an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon, approved December 21, 1872, approved March 8, 1873.	Kennedy of Union.	307, 356, 486.
✓ 350	A BILL to establish a Superior Court in the county of Vanderburgh, defining its jurisdiction, providing for the election and compensation of the judges thereof, to abolish the Criminal Court of said county, and transferring its business to the Circuit Court thereof, and declaring an emergency.	Dannettell.	307, 356, 595, 800, 869, 904, 922, 935, 977, 978, 997.
✓ 351	A BILL to facilitate the collection of debts process, and declaring an emergency.	Dannettell.	308, 356.
✓ 352	A BILL to amend an act entitled "An act authorizing the appointment of short-hand reporters for certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing the duties and compensation of such reporters, and declaring an emergency."	Dannettell.	308, 356, 493, 623, 624, 626, 978, 1024, 1031, 1034.
✓ 353	A BILL to amend section 3 of an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and declaring an emergency.	Carlton.	308, 356, 606, 615.
✓ 354	A BILL touching property drift, and declaring an emergency.	Marsh.	309, 356.
✓ 355	A BILL to amend section 1 of an act entitled "An act to prevent the spread of Canada thistles, to prescribe penalties for suffering the same to mature upon cultivated farms and public highways, and to prescribe penalties for selling seeds or grain containing Canada thistle seed."	Little.	309, 356, 535, 618, 642.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 356	A BILL to amend section 57 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, repealing all laws in conflict herewith, and declaring an emergency.	Perigo.	309, 356, 547.
✓ 357	A BILL for the better protection of wild birds, prescribing penalties, and declaring an emergency.	Perigo.	309, 357, 516.
✓ 358	A BILL to amend sections 2, 11 and 12 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.	Perigo.	309, 357, 513.
✓ 359	A BILL to amend an act entitled "An act to authorize plank, macadamized and gravel road companies to consolidate their stock with other similar companies and assume a common name, and defining the power of such consolidated company," approved February 23, 1859.	Yaryan.	309, 357, 552, 639, 657, 904, 922, 935, 977, 997.
✓ 360	A BILL to amend section 138 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, and declaring an emergency."	Yaryan.	310, 357, 743, 885, 1167, 1256.
✓ 361	A BILL to specify the time in which executions shall be returned.	Yaryan.	310, 357.
✓ 362	A BILL to amend section 79 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases."	Yaryan.	310, 357, 381, 399, 482.
✓ 363	A BILL to amend section 31 of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852, so as to extend the right of appeal to all decisions made by the board of county commissioners, except when prohibited by law, and declaring an emergency.	Yaryan.	310, 357, 720, 790, 882, 884.
✓ 364	A BILL to amend section 15 of "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Carr.	310, 357, 750, 860, 1120.
✓ 365	A BILL to amend section 17 of an act entitled "An act defining felonies and prescribing penalties therefor," approved June 10, 1852.	Carr.	311, 357, 494, 519, 610.

✓ 365	A BILL to amend section 250 of "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Carr.	311, 357, 639.
✓ 367	A BILL to repeal sections 9, 11 and 12 of an act entitled "An act supplemental to an act entitled 'an act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana,'" approved February 21, 1855, and repealing an act entitled "An act to amend sections 4 and 7 of an act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana," approved June 3, 1861, and prescribing additional duties of clerks of circuit courts, and prosecuting and district attorneys," approved March 10, 1873.	Carr.	311, 357.
✓ 368	A BILL providing that county commissioners shall furnish the proper means to test cattle and large platform scales, providing for the testing of the same, by whom and when, providing compensation, to prevent the using of condemned scales—forefeiture therefor, providing for retesting and how often, how all fees may be collected and to what capacity of scales to apply, and declaring an emergency.	Morgan.	311, 357, 514, 537, 632.
✓ 369	A BILL to repeal section 1 of an act entitled "An act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for the violation thereof," approved February 22, 1871.	Johnson of Carroll.	311, 357, 514.
✓ 370	A BILL for an act to amend section 1 of an act approved February 2, 1855, entitled "An act to amend an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.	Viehe.	312, 357, 496, 557, 624, 890, 934, 977, 978, 997.
✓ 371	A BILL to repeal section 14, and to amend section 114 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and declaring an emergency.	Oglebay.	312, 357.
✓ 372	A BILL to amend section 208 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872, and declaring an emergency.	Henderson.	312, 357, 360, 376, 383, 397.
✓ 373	A BILL to prevent the spread of hog cholera, providing that hogs that die of said disease shall be buried or cremated; that such hogs nor any product made therefrom shall be sold; providing penalties and declaring an emergency.	Warrum.	346, 473, 532.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
374	A BILL declaring assessments upon lands for plank, macadamized and gravel road purposes, in certain cases, to be valid and binding, and providing for the collection and application of the same, pursuant to the provisions of the statute under and by virtue of which the same were made," and declaring an emergency.	Warrum.	346, 740.
375	A BILL defining certain misdemeanors, and prescribing penalties therefor."	Warrum.	347, 473, 745.
376	A BILL to prescribe certain powers and duties of county commissioners, township trustees, city councils and trustees of towns, in relation to elections; also, prescribing certain powers and duties of inspectors and judges of elections, and penalties for frauds in the performance of their official duties, to prevent illegal and fraudulent voting, prescribing penalties for the violation of this act, and repealing an act entitled "An act repealing sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21 and 22 of an act entitled 'an act to provide for the registry of voters and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for the services of such officers,' approved March 12, 1867, and prescribing further duties of officers of elections, and providing for the appointment of the necessary officers and clerks for holding such elections," approved May 13, 1869.	Committee of Elections.	365, 376, 751, 872, 1131, 1196, 1211, 1212, 1213, 1256.
377	A BILL prohibiting counties, townships or cities from taking stock in or making donations to railroad companies.	Committee.	404, 473, 520, 536, 804, 806, 1130, 1181.
378	A BILL exempting cemetery lots from sale on execution or other legal process.	Austin.	426, 474, 547, 659.
379	A BILL authorizing allowances in aid of agricultural associations.		
380	A BILL prohibiting the killing and shipment of quails, prairie chickens and other birds, except in certain cases therein named, providing penalties for killing or shipping the same, repealing all laws inconsistent therewith, and declaring an emergency.	Foster of Allen. Chawner.	426, 474, 533, 554, 617, 637, 926, 942, 960, 977, 998. 426, 474, 802.
381	A BILL supplemental to an act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incidental thereto, and repealing all laws conflicting with this act, and declaring an emergency, approved March 10, 1873, legalizing certain marriages, declaring their issue to be legitimate, and declaring an emergency for the immediate taking effect of this act.	Cook.	426, 474, 734, 800, 882.
382	A BILL fixing the fees of county auditors and county treasurers for managing the school fund, and repealing all laws in conflict with this act.	Cook.	426, 474.

✓ 383	A BILL to amend section 10 of an act entitled "An act to authorize the formation of new counties and to change county boundaries, and to repeal all laws inconsistent therewith," approved March 1, 1861, and providing for the annexation of contiguous territory, and to repeal all laws inconsistent therewith, and declaring an emergency.	Compton.	426, 474, 749.
✓ 384	A BILL repealing an act entitled "An act relating to expenses incurred by one county by change of venue from another county," approved March 10, 1873, and declaring an emergency.	Compton.	426, 474, 741.
✓ 385	A BILL to repeal "An act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies," approved May 12, 1869, and the act supplemental thereto, approved January 30, 1873, and the act as amended, approved March 17, 1875, and declaring an emergency.	Compton.	427, 474, 804, 806, 1123, 1188.
✓ 386	A BILL concerning the powers and duties of county sheriffs in reference to the service of warrants in State cases.	Compton.	427, 474, 639.
✓ 387	A BILL to authorize Judges of the Supreme Court to employ clerks, and providing salaries therefor, and declaring an emergency.	Compton.	427, 474, 762.
✓ 388	A BILL to amend section 5 of an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved June 15, 1852, approved March 2, 1865.	Paige.	427, 474, 535.
✓ 389	A BILL prescribing the jurisdiction of justices of the peace and mayors of cities over misdemeanors, and repealing all laws inconsistent herewith.	Paige.	427, 474, 639.
✓ 390	A BILL to amend section 147 of "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.	Benz.	428, 474, 765.
✓ 391	A BILL in relation to the appointment and compensation of county examiners.	Benz.	428, 474, 764.
✓ 392	A BILL in relation to the pay of county treasurers.	Benz.	428, 474, 880.
✓ 393	A BILL providing that it shall be unlawful for turnpike companies to collect and receive toll in certain cases.	Johnson of Dearborn.	428, 474, 827, 1124.
✓ 394	A BILL to prevent procuring, or attempting to procure, abortion, prescribing penalties therefor, repealing all laws in conflict therewith, and declaring an emergency.	Lockhart.	430, 474, 784, 860, 1115.
✓ 395	A BILL fixing the time of holding court in the Twenty-fifth Judicial Circuit, and the length of terms thereof, and repealing all laws in conflict therewith.	Lockhart.	430, 475, 763, 814, 921, 937, 960, 977, 990.
✓ 396	A BILL in relation to policies of life insurance for the benefit of married or unmarried women, repealing all laws in conflict herewith, and declaring an emergency.	Lockhart.	430, 475, 553, 617, 653, 634.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 397	A BILL to amend section 8 of an act to provide for a uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved February 13, 1859.	Koontz.	430, 475, 531, 618, 652, 640, 654.
✓ 398	A BILL providing for appeals from the board of county commissioners in proceedings to annex territory to cities and towns against the will of the owner, and for the trial of the same in the circuit courts.	Koontz.	431, 475, 816.
✓ 399	A BILL supplemental to "An act providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith," approved June 4, 1861.	Thompson of Elkhart.	431, 475, 497, 745, 865, 978, 1122.
✓ 400	A BILL to authorize the legal voters of each county to elect by ballot a county superintendent of common schools.	Fromm.	431, 475, 763.
✓ 401	A BILL to amend an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.	Copeland.	431, 475, 744.
✓ 402	A BILL to enable the owners of wet lands to claim and reclaim them, where the same cannot be done without effecting the lands of others, creating the office of ditch commissioner, prescribing his powers and duties in the premises, and repealing all laws inconsistent therewith.	Cary.	431, 475, 556.
✓ 403	A BILL creating civil engineers, contractors, sub-contractors and laborers' liens upon the depots, bridges, station houses, tracks, roads, road-beds, and real estate belonging to railroad companies or corporations, in this State, and to enforce the same, and other matters properly connected therewith.	Baxter.	431, 475, 807.
✓ 404	A BILL to legalize the acts of the incorporation of the town of Noblesville, Hamilton county, Indiana, and to legalize each and every official act of the several boards of trustees of said corporation, and all other acts of each and every officer of the same, under "An act for the incorporation of towns, defining their powers, providing for the election of the officers and declaring their duties," approved June 11, 1852, and all by laws, rules, regulations and proceedings adopted in pursuance thereof.	Garver.	432, 475, 547, 616, 638, 938, 945, 957, 959, 977, 1032.
✓ 405	A BILL to amend section 6 of an act entitled "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to limit the license to be charged by cities and towns, prescribing penalties for intoxication, providing for the recovery of	Garver.	432, 475, 813, 860, 1119.

✓ 406	damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof and declaring an emergency. A BILL to amend sections 65, 66 and 68 of an act entitled "An act providing for an election and qualification of justices of the peace," and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.	Warrum.	432, 475, 527.
✓ 407	A BILL providing uniform rules for the making, collection and assignment of promissory notes, notes payable in bank or elsewhere, inland and foreign bills of exchange, bonds, or any instrument in writing, signed by any person or persons who promise to pay money or acknowledge money to be due, or for the delivery of any specific article, or to convey property, or to perform stipulations therein mentioned, and declaring all waivers and arguments to waive, whether express or implied, of any of the rules therein stated to be against public policy and void, prohibiting the recovery of interest and costs thereon, and repealing all laws coming in conflict therewith, and declaring an emergency. A BILL to provide for the organization and support of an asylum for the feeble-minded children.	Warrum.	432, 475, 800.
408	A BILL in relation to the powers and duties of life, health or accident insurance companies organized under the laws of this State.	Hubbard.	433, 475, 476, 1024, 1256.
✓ 409	A BILL to enable the owners of wet lands to drain and reclaim them, when the same can not be done without affecting the lands of others, prescribing the powers and duties of trustees of townships and other officers in the premises and to provide for the repair of such drains, and repealing all laws in conflict herewith.	Hubbard.	433, 475, 554, 654, 661.
✓ 410	A BILL legalizing the acts of the Board of Commissioners of Miami county, Indiana, incorporating the town of Ridgeview in that county.	Thompson of Howard.	433, 476, 556, 654, 664.
411	A BILL to legalize the incorporation of the town of Huntington, Huntington county, Indiana, as a city, and to legalize each and every official act of the board of trustees of said town, and the official acts of the Common Council of the city of Huntington, and all other acts of each and every officer of such town or city, whether done before or after the citizens of said town had voted in favor of incorporating as a city, or done before or after the election of officers of the city of Huntington, under the statute of the State of Indiana for the incorporation of cities, approved March 14, 1867.	Thompson of Miami.	433, 476, 816.
✓ 412	A BILL to provide for the building of a new State prison at Seymour, in the county of Jackson, and the discontinuance of the State Prison South at Jeffersonville, in the county of Clark, making appropriations and for the regulation of the same.	Cole.	433, 476, 814, 832, 864, 897, 1142.
✓ 413	A BILL for the recovery of property removed by high water, and for the repeal of an act entitled "An act for the recovery of property removed by high water," approved February 20, 1852.	Wells.	434, 476, 766.
414	A BILL to repeal section 22 of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852.	Lanham.	434, 476, 750.
✓ 415		Lanham.	434, 476, 678, 860.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
416	A BILL in reference to contracts made in this State with agents of foreign insurance companies or other corporations.	Viehe.	434, 476, 740, 822, 1082.
417	A BILL to authorize the organization of clubs, to establish libraries and reading rooms in the several counties of the State, and to authorize such clubs to erect and maintain gymnasiums, and such other entertainments as they think proper.	Adams.	434, 476, 699, 861, 972.
418	A BILL to amend sections 308 and 313 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Guthrie.	438, 476, 756, 798, 881.
419	A BILL to amend section 2 of an act entitled "An act in relation to county auditors," approved May 31, 1852, and requiring auditors now in office to give additional bonds and declaring an emergency.	Henderson.	439, 476, 526, 531, 809, 843, 1094.
420	A BILL to amend section 4 of an act entitled "An act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair, and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which such harbors may run, and to assess damages and benefits against adjoining owners," approved March 9, 1875.	Hosmer.	439, 476, 538, 654, 635, 885, 891, 900, 903, 906, 996.
421	A BILL concerning the recording of articles of association required to be filed and deposited in the office of the Secretary of State and the authentication thereof; providing compensation therefor, and declaring an emergency.	Henderson.	439, 476, 811, 871, 1123.
422	A BILL to amend section 60, and to repeal section 250 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes," approved December 21, 1872, and declaring an emergency.	Henderson.	440, 476, 530, 659, 977, 978, 1029, 1032, 1034.
423	A BILL concerning the removal of bodies of persons buried in outlot No. 28, in Clarksville, Clark county, Indiana, providing for the payment of the cost of such removal, and declaring an emergency.	Henderson.	440, 476.
424	A BILL to provide for the furnishing of subjects for dissection and medical examination to legally authorized medical colleges and physicians of this State, and forbidding the removal of dead bodies from graves, vaults, or any other place, without proper authority so to do, providing penalties for the violation of the same, and repealing all laws in conflict herewith.	Smith.	440, 476, 785, 814, 1088.
425	A BILL to prevent shooting, netting, trapping, or otherwise taking or destroying quails; also, forbidding buying, selling, shipping, or	Smith.	440, 477, 801, 860, 1101.

✓ 426	having in their possession any quail or quails for two years from and after the taking effect of this act, providing what evidence shall be sufficient in certain cases, and repealing all laws in conflict herewith.	Adams.	442, 477, 549.
✓ 427	A BILL to authorize county commissioners to unite with cities having a population of forty thousand and over at the last census, in the erection and maintenance of workhouses.	Adams.	442, 477.
✓ 428	A BILL to define the crime of swindling, and to punish the same. A BILL to provide for the payment of one-half of the taxes assessed and collectable in cities on the third Monday in March, and the other half on the third Monday in September of each year, for the proper delinquency, and penalties, and declaring an emergency for its immediate taking effect.	Adams.	442, 477, 816, 1161.
✓ 429	A BILL to amend section 13 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.	Adams.	442, 477, 975.
✓ 430	A BILL to legalize a certain ordinance of the Common Council of the city of Indianapolis therein mentioned, designated as an ordinance No. 51, and passed October 16, 1876, as well as the acceptance thereof by "The Union Railroad Transfer and Stockyard Company," and to validate the contract embraced in said ordinance, and in the acceptance thereof.	Adams.	442, 678, 883, 887, 892, 893, 925.
✓ 431	A BILL to amend section 2 of an act entitled "An act defining certain misdemeanors, and prescribing punishment therefor," approved December 2, 1865.	Peelle.	444, 477, 733, 790, 862.
✓ 432	A BILL to amend an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.	Craft.	445, 477, 548, 665, 659.
✓ 433	A BILL concerning tax sales in certain cases, and declaring an emergency.	Craft.	445, 477, 741.
✓ 434	A BILL authorizing the establishment of a board of police commissioners in cities of the first class with a population of over forty thousand inhabitants at the last Federal census, prescribing its duties and powers and repealing all laws and ordinances inconsistent therewith.	Adams.	446, 477, 812, 887.
✓ 435	A BILL to amend sections 175 and 176 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.	Zehring.	446, 477.
✓ 436	A BILL to exempt the wages of laborers from garnishment, and proceedings supplemental to executions in certain cases.	Zehring.	446, 477, 747.
✓ 437	A BILL to abolish section 6 of an act for the incorporation of hydraulic companies, defining their powers and duties, and declaring an emergency.	Zehring.	446, 477.

HOUSE BILLS—Continued.

1328

No.	TITLE.	BY WHOM.	ACTION THEREON.
438	A BILL amending section 4 of an act entitled "An act to provide for the election and prescribing certain duties of prosecuting and district attorneys," approved June 11, 1852.	Eulet.	446, 477, 766.
439	A BILL defining special qualifications for persons elected to certain offices therein named.	Hulet.	447, 477.
440	A BILL to amend an act entitled "An act to provide for the government and discipline of the Indiana State Prison," approved February 5, 1857, providing for the purchase of books for the use of convicts, repealing all laws in conflict herewith, and declaring an emergency.	Scott.	446, 477, 504, 656, 666, 684, 715, 749, 978.
441	A BILL providing for the concentration of land records in the office of the Auditor of State, and prescribing the duties of the Auditor of State in connection therewith, and the appointment of a clerk thereof, and declaring an emergency.	Foster of Monroe.	447, 477, 801.
442	A BILL to fix the holding of courts in the Tenth Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, and repealing all laws in conflict therewith, and declaring an emergency.	Foster of Monroe.	447, 477, 753, 798, 880, 933, 943, 960, 977, 999.
443	A BILL for the encouragement of agriculture, by affording relief to the State Board of Agriculture, the purchase of the State Fair grounds, and matters incident thereto.	Grubbs.	447, 478, 536, 809.
444	A BILL supplemental to an act entitled "An act respecting foreign corporations and their agents in this State," approved June 17, 1852.	Grubbs.	447, 478, 812, 1121.
445	A BILL to amend section 40 of an act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852.	Hall.	447, 478, 809, 873.
446	A BILL to make new provisions, and to amend an act to provide for the uniform assessment of property and for collection of taxes thereon, approved December 21, 1872, and to provide for the relief of owners of real estate encumbered by bona fide and unsatisfied mortgages, of which said owners are either the payers or the agents of the payers, and to allow such owner of real estate to have a credit on his real estate assessment to the amount of such unpaid mortgages, and provide for the return of such mortgages for assessment, and the payment of taxes due thereon, and preventing double returns of credits, and repealing all laws, sections and provisions in conflict with the provisions of this act.	Freeman.	448, 478.
447	A BILL to provide and prescribe the mode of purchasing supplies of all kinds for the use of the prisons of the State, the delivery and payment of the same.	Freeman.	448, 478, 678.

✓ 448	A BILL for an act to amend an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases, approved March 6, 1873.	Freeman	448, 478, 761.
H. 449	A BILL in regard to sales on executions, and in certain cases subrogating the purchaser at such sales to the rights of the judgment and execution plaintiff.	Hatfield.	448, 478, 749, 862.
✓ 450	A BILL to amend sections 51 and 52 of an act entitled "An act providing for the election and qualification of justices of the peace and defining their jurisdiction, powers, and duties in civil cases," approved June 9, 1852.	Hatfield.	448, 478, 755, 865, 1122.
451	A BILL to amend section 1 of an act entitled "An act fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery," and declaring an emergency.	Stewart.	449, 478, 778, 789.
✓ 452	A BILL to amend section 33 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties thereof prescribed, and adding supplemental sections thereto," approved March 8, 1873.	Welborn.	449, 478, 765.
✓ 453	A BILL to create the Forty-third Judicial Circuit, to amend sections 9 and 47 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of court in the Eighth and Forty-third Circuits, and for the election of a judge and prosecuting attorney in the Forty-third Judicial Circuit, and repealing all laws inconsistent therewith.	Kennedy of Rush.	753, 763.
✓ 454	A BILL to enable farmers and citizens of any county in the State of Indiana to form voluntary associations for the purpose of insuring their property against losses by fire, and all other matters connected therewith, and enable them to sue and be sued by their corporate name.	Kennedy of Rush.	449, 478, 554, 615, 641, 1191, 1199, 1211, 1212, 1234.
455	A BILL to amend section 25 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.	Girton.	450, 478.
456	A BILL to amend section 10 of an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859.	Leeper.	450, 478, 526, 824, 829, 1145.
✓ 457	A BILL for the relief of Myer Myers, George F. McGaughey and Robert H. Hudzeons.	Girton.	450, 478.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
458	A BILL to amend section 61 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.	Leeper.	450, 479, 813, 869, 1096.
459	A BILL relative to notaries public, regulating the protest of commercial paper, and legalizing certain notarial certificates.	Leeper.	450, 479.
460	A BILL for the appropriation of moneys for the use and benefit of Purdue University.	Langdon.	450, 479.
461	A BILL to amend section 136 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."	Langdon.	454, 479, 1175, 1176.
462	A BILL to provide for funding moneys belonging to Purdue University, and conferring upon the trustees of said University in relation to the collection of all moneys coming to said University.	Langdon.	454, 479.
463	A BILL concerning the organization of voluntary associations, defining their rights, powers and obligations, and legalizing the organization of voluntary associations heretofore formed, and declaring an emergency.	Oglebay.	454, 479, 811, 1133, 1128.
464	A BILL amending an act entitled "An act requiring county auditors to publish a statement of all allowances made by the county commissioners," approved May 9, 1875.	Priest.	454, 479.
465	A BILL to authorize and encourage the enclosure of land subject to overflow, by incorporated associations, and providing for the organization of such associations, and prescribing their powers, and providing for the assessment and apportionment of the cost of such improvements and expenses attending the same, upon the lands improved and used for purposes of cultivation enclosed thereby, and for the collection and return of such assessments, and prescribing the penalties for breaking or throwing down such fences, and declaring an emergency.	Dannettell.	454, 479, 808, 1148, 1191, 1199, 1210, 1211, 1212, 1234.
466	A BILL to legalize the organization and proceedings of gymnastic associations properly authorized under the law of 1865 after the repeal of said law in 1867.	Carlton.	455, 479, 735, 800, 1078, 1111, 1147.
467	A BILL to amend section 681 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of	Carlton.	455, 479.

✓ 468	action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Carlton.	465, 479.
✓ 469	A BILL to amend section 32 of "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.	Carlton.	455, 752, 826.
✓ 470	A BILL making the township trustees of each civil township superintendent of roads and highways in his township, and fixing a commutation road tax in lieu of road labor, and repealing all laws conflicting with this act.	Sailors.	456, 479, 776, 1097.
✓ 471	A BILL to amend section 16 of an act entitled "An act to provide for the government and discipline of the State Prison, and to repeal 'an act to provide for the government and discipline of the State Prison,' approved March 3, 1855, and all other laws or parts of laws inconsistent herewith, prohibiting the use of the 'cat' in the punishment of prisoners, and declaring an emergency."	Perigo.	456, 479, 537, 625, 626, 649, 891, 900, 903, 905, 996.
✓ 472	A BILL to amend sections 1 and 3 of an act entitled "An act to provide for the relocation of county seats, and for the erection of public buildings in counties in case of such relocation," approved February 24, 1869.	Perigo.	456, 479, 630.
✓ 473	A BILL for an act to amend sections 235 and 236 of an act entitled "An act to provide for a uniform assessment of property, and for the return and collection of taxes thereon," approved December 21, 1872, and supplementary to said act.	Perigo.	456, 479, 540, 615, 641.
✓ 474	A BILL to amend section 51 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, repealing all laws in conflict herewith, and declaring an emergency.	Foster of Allon.	457, 479, 764.
✓ 475	A BILL to amend an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and for the repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1866.	Yaryan.	457, 480, 762, 885, 1133, 1256.
✓ 476	A BILL to amend section 307 of an act entitled "An act to revise, simplify and abridge the rules practice pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, and to repeal sections 308, 309, 310, 313 and 314 of the above entitled act, and declaring an emergency."	Yaryan.	457, 480, 512, 716, 855.
	A BILL to fix the compensation and provide for the payment of the officers and employees of the Senate and House of Representatives of the General Assembly.		

No.	TITLE.	BY WHOM.	ACTION THEREON.
477	A BILL to amend section 1 of an act entitled "An act to amend sections 4 and 6 of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any company which may have been incorporated in this State for any of the purposes contemplated in said act, with a fixed amount or limitation of capital, may increase the same by a vote of its stockholders, in the same manner as is provided in said section for increasing capital stock, and providing for election of directors and certain officers, and prescribing the manner of casting the votes in such election," approved March 11, 1861, and to legalize the acts of such companies that have divided their capital stock into shares of not more than one hundred dollars each.	Yaryan.	107, 430, 524, 811, 1173.
478	A BILL to provide for the removal of the State Prison South from Jeffersonville, and the location of the same at or near Bedford, appointing three commissioners to select a site for said prison, and to superintend the erection of buildings for the same, and making an appropriation to pay for the same.	Yaryan.	458, 480.
479	A BILL for an act to amend section 23 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.	Committee.	511, 652, 783, 843, 1094.
480	A BILL establishing probate courts in the several counties of this State, defining the jurisdiction, powers and duties of the judges thereof, providing compensation therefor, repealing all laws in conflict with the provisions of this act, and declaring an emergency.	Committee.	551, 652.
481	A BILL describing the powers, duties and salary of the State Librarian, and the number, duties and salary of his assistants, and other matters pertaining to economical management of State Library, and expense of State House and grounds, and repealing laws and parts of laws in conflict therewith, and declaring an emergency.	Committee.	563, 652, 846, 1140.
483	A BILL defining vagrancy, providing punishment therefor, and declaring an emergency.	Craft.	653, 1158, 1196, 1202, 1203, 1205, 1226, 1232.
484	A BILL to legalize the incorporation of the town of Waterloo, DeKalb county, Indiana, and the several additions thereto, and the official acts of the several boards of trustees of said corporation, under "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties," approved June 11, 1852, and by-laws, ordinances, rules, regulations and proceedings adopted in pursuance thereof.	Madden.	719, 760, 812, 1160.

✓ 485	A BILL for an act authorizing the acquisition of Green River Island, or to locate the true boundary line at said island.	Viehe.	752, 760, 822, 885, 1128, 1191, 1199, 1211, 1212, 1234.
✓ 486	A BILL providing for the distribution of any and all unemployed funds that may now be or may hereafter come into the State Treasury, and which are not otherwise provided for by law.	Swayzee.	752, 660, 843, 908, 977.
✓ 487	A BILL to amend section 16 of an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws, approved March 12, 1875.	Hausa.	782, 822, 823, 1114.
✓ 488	A BILL for an act to amend sections 5, 6 and 10 of an act entitled "An act fixing the fees, salaries and compensation of the officers and persons named therein, prohibiting the violation of its provisions, and repealing certain laws," approved March 13, 1875.	Hausa.	782, 822, 823, 866.
✓ 489	A BILL for an act to amend sections 13 and 14 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875, and repealing all acts or parts of acts coming in conflict with the provisions of this act.	Hausa.	782, 822, 823, 859, 1100, 1119, 1111.
✓ 490	A BILL for an act to amend sections 11 and 12 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875, and repealing all laws in conflict herewith.	Hausa.	782, 822, 823, 866, 1095.
✓ 491	A BILL for an act repealing section 9 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws," approved March 12, 1875.	Hausa.	783, 822, 823, 854, 1099.
✓ 492	A BILL entitled "An act for the election of road supervisors, and defining some of their duties and the compensation therefor, and repealing all laws in conflict with this act."	Hulet.	786, 1089, 1177.
✓ 493	A BILL to amend section 2 of an act entitled "An act defining who shall be competent witnesses in any court or judicial proceeding in this State, and to repeal all laws in conflict with the provisions of this act," approved March 11, 1867, and declaring an emergency.	Austin.	786, 1089.
✓ 494	A BILL for an act to provide for taxing and adjudging costs in certain cases in criminal actions.	Foster of Allen.	786, 1089, 1186, 1226.
✓ 495	A BILL to prescribe the funds from which and the time and mode for the payment of the salaries of the judges and prosecuting attorneys of the State.	Yaryan.	786, 1089, 1186.
✓ 496	A BILL to cure defects in an act entitled "An act authorizing the sale and conveyance of certain land belonging to the State of Indiana," approved March 11, 1875, and for the relief of Catharine Christian, and declaring an emergency.	Craft.	786, 1089, 1179.
✓ 497	A BILL to provide for the repair, removal or repaving of streets in cities, which have been permanently improved.	Craft.	786, 1089.

HOUSE BILLS—Continued.

1334

No.	TITLE.	BY WHOM.	ACTION THEREON.
498	A BILL concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show, leguemen, ventriloquism, concert, theatrical performance, or any other exhibition of whatever name or description, by any traveling or stationary troupe, to keep a ferry, broker's office, or do business as a broker, providing for the collection thereof, and to whom such fees shall be paid.	Craft.	787, 1089.
499	A BILL to enable the Superintendent of Public Instruction and the Auditor of Spencer county to re-open the account between Spencer county and the State, for the purpose of correcting errors in the principal of the school funds held in trust by Spencer county	Foster of Allen.	787, 877, 1141, 1210, 1226, 1232.
500	A BILL to provide for the incorporation of voluntary associations, to prescribe the powers and duties, and to repeal all former laws on this subject, and to legalize certain conveyances heretofore made by or to voluntary associations.	Foster of Allen.	787, 859.
501	A BILL to create the Forty-second Judicial Circuit, to amend section 21 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of courts in the Forty-second Circuit, and repealing all laws inconsistent therewith.	Chawner.	789, 900.
502	A BILL to legalize certain acts of the board of trustees of the town of Williamsport, county of Warren, in levying a tax upon the taxables of said town for the year 1874.	Little.	789, 872, 1024, 1184, 1195, 1211, 1212, 1213, 1234.
503	A BILL supplemental to an act entitled "An act providing for a general system of common schools in all cities of thirty thousand or more inhabitants, and for the election of a board of school commissioners for such cities, and defining their duties and prescribing their powers and providing for common school libraries within such cities," approved March 3, 1871, and declaring an emergency.	Chawner.	789, 832, 933, 943, 960, 977, 999.
504	A BILL to amend section 2 of act entitled "An act to provide compensation to the owners of animals killed or injured by the cars, locomotives or other carriage of any railroad company in this State, and to enforce the collection of judgments rendered on account of the same, and to repeal all laws inconsistent therewith," approved March 4, 1863.	Bumgarner.	790, 1089.
505	A BILL requiring a chain of title to be made a part of certain deeds of conveyance, and requiring conveyances to correctly describe lands in deeds and mortgages, and prescribing a penalty for neglecting or failing so to do.	Compton.	790, 1089.

506	✓	A BILL to amend section 20 of an act entitled "An act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.	Benz.	791, 1089.
507	✓	A BILL to amend section 3 of an act entitled "An act to provide for the clothing and other personal expenses of the pupils of the benevolent institutions of the State, and providing for the manner of their removal to and from said institutions in certain cases therein specified, and the manner of collecting the expenses therefor," approved March 6, 1866.	McCarthy.	791, 1089.
✓ 508	✓	A BILL prescribing the forms of conveyance that may be executed by sheriffs and coroners to purchasers of real property or of any interest therein.	Riley.	791, 1089.
✓ 509	✓	A BILL to amend an act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws, approved March 12, 1876.	Thompson of Elkhart.	791, 1089.
510	✓	A BILL to establish a board of pharmacy to regulate the sale of medicines and poisons, and describe certain duties of the said board of pharmacy, and declaring an emergency.	Albert.	792, 1090.
✓ 511	✓	A BILL to amend section 18 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.	Hausa.	792, 1090.
512	✓	A BILL relating to the swinging of water gates over streams across public highways.	Baxter.	792, 1090.
✓ 513	✓	A BILL for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties."	Carson.	792, 1090.
✓ 514	✓	A BILL to raise revenue for State purposes for the years 1877 and 1878.	Viehe.	792, 1090.
515	✓	A BILL to amend section 354 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, and declaring an emergency.	Viehe.	792, 1090.
✓ 516	✓	A BILL for an act to make State patents for swamp lands and the record thereof, evidence of title in the State.	Ames.	793, 1090.
517	✓	A BILL authorizing county recorders to enter satisfaction of certain mortgages therein specified, providing compensation therefor, and declaring an emergency.	Henderson.	793, 1090.
518	✓	A BILL for the relief of Weems Heagy, Treasurer of Madison county, and the surety on his official bond as such treasurer, and declaring an emergency.	Henderson.	793, 797, 1090.
✓ 519	✓	A BILL in relation to the duties, fees and liabilities of persons engaged in making examinations of records, preparing and furnishing abstracts of title, statements of record and claims of title.	Adams.	793, 1090.
✓ 520	✓	A BILL to amend section 1 of an act entitled "An act for the protection of the Sabbath, and providing penalties for the desecration thereof," approved February 28, 1855.	Adams.	793, 1090, 1187.
✓ 521	✓	A BILL to incorporate State, district, county, subordinate and individual associations of the order of the Sovereigns of Industry, and matters properly connected therewith.	Adams.	793, 1090.

HOUSE BILLS—Continued.

1336

No.	TITLE.	BY WHOM.	ACTION THEREON.
522	A BILL to amend an act entitled "An act to render taxation for common school purposes uniform and to provide for the education of the colored children of the State," approved May 13, 1869. Also, an act to amend an amendment to an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 8, 1873.	Adams.	793, 797, 1090.
523	A BILL to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.	Peelle.	794, 1090, 1168, 1173.
524	A BILL requiring foreign insurance companies, doing business in this State to employ attorneys to accept service in case of suit against such companies.	Peelle.	794, 1090, 1183.
525	A BILL defining certain felonies and misdemeanors, providing punishment therefor, and to simplify and abridge the rules, practice, pleadings and forms in the courts of this State under the provisions thereof.	Peelle.	794, 1090, 1153, 1160.
526	A BILL to repeal an act entitled "An act to enable owners of wet lands to drain and reclaim them, when the same can not be done without affecting the lands of others, prescribing the powers and duties of county boards and other officers in the premises to provide for the repairs of such drains," approved March 9, 1875.	Houghton.	794, 1090.
527	A BILL to amend an act entitled "An act to prohibit profanity," approved March 2, 1856.	Scott.	794, 1091.
528	A BILL for the relief of James F. Manly and others.	Foster of Monroe.	795, 797, 1091.
529	A BILL to raise revenue for State purposes.	Hall.	795, 1091.
530	A BILL providing for the current expenses of the Indiana Reformatory Institution for Women and Girls.	Freeman.	795, 1091.
531	A BILL to amend an act entitled "An act to establish a House of Refuge for the correction and reformation of juvenile offenders," approved March 8, 1867, and repealing section 7 of said act, approved December 10, 1872.	Freeman.	795, 1091, 1185.
532	A BILL supplemental to an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all	Moorman.	795, 1091.

✓ 533	former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof, and making further regulations therefor. A BILL to amend section 87 of an act of the General Assembly of the State of Indiana, entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, and providing for the taking of replevin bail upon judgments by justices of the peace and constables holding executions, and authorizing constables to administer oaths, and providing fees therefor. Also, an act to amend section 420 of an act of the General Assembly of the State of Indiana, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.	Endaley.	796, 1091.
534	A BILL to abolish the offices of township and county assessors, and transferring their duties to township trustees.	Endaley.	796, 1091.
✓ 535	A BILL concerning the purchase of stationery, and defining the duties of certain officers in connection therewith.	Oglebay.	796, 885, 114.
536	A BILL fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery, also fixing the per diem of the officers and employees, and repealing all laws or parts of laws relative thereto.	Kennedy of Union.	796, 1091.
✓ 537	A BILL to amend an act entitled "An act providing for the appointment of notaries public, and defining their powers and duties," approved June 9, 1852.	Kennedy of Union.	796, 1091.
✓ 538	A BILL to authorize the vacation of town plats, streets and alleys in town plats which have been abandoned and are no longer used for town purposes, and to regulate the reversion of the title to the land taken for streets and alleys in such vacated town plats, and the assessment of lots therein for taxation.	Carlton.	796, 1091.
539	A BILL regulating discount on written evidences of moneyed indebtedness, and repealing all laws in conflict therewith.	Reno.	840, 1091.
✓ 540	A BILL concerning interest on money, and prescribing penalties for violating the provisions thereof.	Reno.	840, 1091.
541	A BILL to provide for the settling of bills of exceptions by judges after expiration of office.	Langdon.	840, 1091.
542	A BILL to discourage the keeping of worthless and sheep-killing dogs, providing for the licensing and registration of dogs, and prescribing penalties for the violation of the provisions of this act by officers and others, creating a fund for the payment of damages to owners of sheep maimed or killed by dogs, repealing all conflicting laws, and declaring an emergency.	Lockhart.	841, 1091, 1122.
✓ 543	A BILL to amend sections 96 and 97 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852.	Lockhart.	841, 1092.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
544	A BILL to change the name "Village of Richland City," Spencer county, Indiana, to "Aton."	Ashby.	841, 1092, 1188.
545	A BILL declaring the qualification, the manner of selecting judges, clerks of elections, and fixing the compensation of judges, clerks and inspectors, the manner of their payment, and the duties of the clerk of the circuit court and auditor in relation thereto.	Cooley.	841, 1092.
546	A BILL to authorize county commissioners to employ an attorney to defend indigent persons in criminal courts.	Sailors.	841, 1092.
547	A BILL to amend section 1 of an act entitled "An act to amend section 1 of an act entitled an act to amend an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries," and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto," approved March 8, 1873	Dannettell.	841, 1092.
548	A BILL to amend section 5 of an act to amend an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding the courts therein, abolishing the courts of common pleas and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attorneys in certain cases, approved March 6, 1873, and creating the Thirty-ninth judicial circuit, providing for the appointment of a judge thereof, and repealing all laws and parts of laws inconsistent herewith, and declaring an emergency," approved March 6, 1875.	Carr.	842, 885, 971, 978, 1029, 1032, 1034.
549	A BILL to amend section 3 of an act entitled "An act to regulate and secure the sale of spirituous, vinous, malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns, providing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all former laws regulating the sale of intoxicating liquors, and all laws or parts of laws coming in conflict with the provisions of this act, providing penalties for violating the provisions thereof, and declaring an emergency."	Carr.	842, 1092, 1192, 1209.
550	A BILL making appropriations for the expenses of the State government and its institutions, directing the objects to which such appropriations shall be applied, requiring accounts of receipts and	Yaryan.	865, 866, 867, 869, 870, 885, 886, 894, 896, 901, 902, 907, 908, 969, 978, [1025, 1029.

551	expenditures to be kept and reported by the fiscal years of State, and repealing inconsistent laws.		
552	A BILL to levy an annual tax for the purpose of raising revenue.	Yaryan.	867, 870, 885, 886, 884, 896, 897, 927, 943, 960, 977, 999.
553	A BILL authorizing and empowering the Governor, Auditor and Treasurer of State to pay the temporary loan debt heretofore contracted, and to make temporary loans for that purpose.	Yaryan.	879, 1092, 1203, 1214, 1222, 1227.
554	A BILL making specific appropriations, and directing how they shall be paid.	Yaryan.	909, 910, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 923, 923, 959.
555	A BILL making specific appropriations, and directing how they shall be paid.	Yaryan.	1102, 1141, 1133, 1159, 1166, 1135, 1140, 1189.
556	A BILL making appropriations for the expenses of the State Government and its institutions, directing the objects to which such appropriations shall be applied, requiring account to be kept and reported by the fiscal years of the State, and repealing inconsistent laws.	Yaryan.	1106, 1141, 1143, 1159, 1166, 1189.
557	A BILL appropriating fifteen thousand dollars to defray the expenses of the special session of the General Assembly of the State of Indiana for the Year 1877.	Compton.	1113, 1145, 1159, 1166, 1189.
558	A BILL to authorize the courts, in cases of partition of lands which are situate partly in the State of Indiana and partly in any adjoining State, to appoint commissioners, to meet other commissioners appointed by the courts of such adjoining State, and divide such lands.	Mathews.	1130, 1193.
559	A BILL to legalize and render valid the records of the courts of common pleas of the various counties of the State of Indiana.	Foster of Monroe.	1180, 1191, 1199, 1210, 1234.
560	A BILL authorizing the Governor, Auditor and Treasurer of State to make a temporary loan to meet deficiency of revenue, and to make payment of temporary loan.	Adams.	1202.

SENATE BILLS.

No.	TITLE.	BY WHOM.	ACTION THEREON.
1	A BILL appropriating one hundred and twenty-five thousand dollars to defray the expenses of the Fiftieth General Assembly and other matters connected therewith.	Dykeman.	51, 53, 84, 106, 115, 116.
22	A BILL to legalize the acts of the Board of County Commissioners of Martin county, Indiana, in the removal of the records of said county from the town of West Shoals to the town of Shoals, for the better protection of the county records, and the official acts of the several county officials, and all orders, levies, sales, forfeitures, and all matters properly connected with the business of said county officials of said county.	— — —	101, 121, 136, 141.
103	A BILL to legalize the election of the Boards of Trustees of the town of Gosport, Owen county, Indiana, for the years 1874, 1875 and 1876, and legalizing all of their official acts, by laws, ordinances, regulations and proceedings passed and executed by them under and in pursuance of "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and defining their duties," approved June 11, 1852.	— — —	159, 185, 363.
152	A BILL regulating the indebtedness of cities having a voting population of sixteen thousand, as shown by the votes cast for Governor at the last preceding election, authorizing the funding of the indebtedness of such cities in bonds in certain cases, prohibiting the creation of city debts except as therein authorized, and prescribing the kind and amount created, limiting the amount of taxes that may be levied by the common council and board of school commissioners respectively, prescribing penalties for certain violations of this act, and repealing all laws in conflict therewith, and declaring an emergency.	Streight.	366, 401, 415, 460, 469, 471.
6	A BILL to legalize the official acts of the Board of Commissioners of Grant county, Indiana, done at a special session of said Board, held on the 14th and 15th days of April, 1874, in relation to the hearing of petitions praying said Board to order elections to be held in the townships of Mill and Fairmount in said county, and also to legalize the subsequent proceedings and orders made in pursuance of said elections, at their regular June sessions for the years 1874 and 1875.	Underwood.	232, 261, 281, 334, 356.
7	A BILL legalizing certain judgments rendered without the formal service of process and sales thereon, and declaring an emergency.	Moore.	232, 263, 281, 594, 672, 857, 883, 888, 889.
10	A BILL to legalize all acts of notaries public, done and performed after their terms of office have expired.	Winterbotham.	232, 262, 281, 570, 673.
16	A BILL to amend section 523 of an act entitled "An act to revise and simplify the rules, practice and forms in civil cases in the	Harris.	232, 262, 282, 519, 674, 695, 723, 724, 733, 901.

*16	courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852. A BILL to amend section 529 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Johnson.	232, 261, 382, 594.
19	A BILL to amend section 8 of an act entitled "An act to amend an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, approved March 8, 1873.	Baxter.	223, 263, 326, 503, 667, 857, 883, 888, 889.
25	A BILL to legalize the official acts, orders, ordinances, regulations and proceedings passed, adopted and executed by the Board of Trustees of the town of Marion, Grant county, Indiana, under and in pursuance of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof," etc.	Underwood.	232, 262, 282, 580, 674, 696, 723, 724, 733.
33	A BILL to amend section 22 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 12, 1862.	Wilson.	233, 262, 282, 554, 669, 761, 858.
36	A BILL to authorize the signing and filing of bills of exceptions beyond the term in criminal prosecutions.	Fowler.	233, 261, 282, 326, 490, 857, 883, 888, 889.
11	A BILL to abolish the Criminal Circuit Courts of the counties of Floyd and Clark, and to transfer the jurisdiction and business of said courts to the Circuit Courts of said counties respectively.	Johnson.	233, 262, 281, 742, 725.
43	A BILL, entitled "An act to amend section 7 of an act concerning mortgages," approved May 4, 1862.	Harris.	243, 263, 282, 594, 675, 977, 984, 1029.
35	A BILL amending sections 4 and 7 of an act entitled "An act to enable the owners of wet lands to drain and reclaim them when the same can not be done without affecting the land of others; prescribing the powers and duties of county boards and county auditors in the premises, and repealing all laws inconsistent therewith," approved March 11, 1867.	Givan.	243, 263, 282, 326, 555, 670, 722, 723, 724, 733.
71	A BILL to give the consent of the State of Indiana to the acquirement by the United States, by purchase or condemnation, of lands within this State, required for the improvement of the Ohio and Wabash rivers, and to cede jurisdiction over the same.	Heilmun.	333, 460, 484, 740, 925, 938, 1016, 1029, 1034.
142	A BILL declaring school lands taxable after they have been sold and before deed is made, and legalizing all assessments, levy and collection of taxes heretofore made, and prohibiting the refunding of taxes paid, declaring an emergency, and other matters connected with the subject of taxation of school lands.	Reeve.	333, 439, 445, 446.

SENATE BILLS—Continued.

1342

No.	TITLE.	BY WHOM.	ACTION THEREON.
110	A BILL to legalize the official acts of the Board of Trustees of the town of Luogotee, Martin county, Indiana.	Peed.	438, 461, 548, 723, 724, 733.
141	A BILL to fix the time of holding courts in the Forty-first Judicial Circuit of the State of Indiana, repealing acts in force, and declaring an emergency.	Reeve.	438, 461, 485, 672, 927.
100	A BILL supplemental to an act entitled "An act to provide for the periodical enumeration of the white male inhabitants of this State, over the age of twenty-one years, to prescribe the duties and fix the compensation of officers in relation thereto, and also to prescribe the penalties for the violation of official duty in connection with said enumeration, as well as the manner in and the courts by which said penalties shall be enforced," approved December 21, 1865, and to provide for the enumeration of the colored male inhabitants of this State over the age of twenty-one years, and declaring an emergency.	---	438, 484.
107	A BILL providing for the protection of wild game, and defining the time in which the same may be taken or killed, and also providing for the protection of certain birds therein named, and their eggs, and prescribing the penalty for violation of the same, and reading all laws inconsistent herewith.	Trussler.	438, 484, 780, 781, 782, 927, 933, 984, 1016, 1029, 1034.
104	A BILL to legalize the official acts of the trustees of the town of Shoals, Martin county, Indiana.	Peed.	438, 461, 485, 696, 671, 723, 724, 733.
106	A BILL supplemental to an act entitled "An act to provide for the periodical enumeration of the white male inhabitants of this State over the age of twenty-one years, to prescribe the duties and fix the compensations of officers in relation thereto, and also to prescribe the penalties for the violation of official duty in connection with the said enumeration, as well as the manner in and the courts by which said penalties shall be enforced," approved December 21, 1865, and to provide for the enumeration of the colored male inhabitants of this State, over the age of twenty-one years, and declaring an emergency.	Harris.	461, 485, 948, 984, 1016, 1029, 1034.
76	A BILL regulating the indebtedness of cities having a voting population of over sixteen thousand, as shown by the votes cast for Governor at the last preceding election, authorizing the funding of the indebtedness of such cities in bonds in certain cases, prohibiting the creation of city debt except as therein authorized, and prescribing the kind and amount that may be created, limiting the amount of taxes that may be created, limiting the amount of taxes that may be levied by the common council and board of school commissioners respectively, prescribing penalties for certain violations	---	467, 728, 760.

13	of this act, and repealing all laws in conflict therewith, and declaring an emergency. A BILL to requir surviving partners to file inventories and appraisements in the office of clerk of the court having probate jurisdiction and to report liabilities of the firm, requiring surviving partners to file bond, providing for the appointment of receivers in certain cases, and repealing an act entitled "An act to require surviving partners to file inventories and appraisements in the office of the clerk of the court of common pleas, and to report the liabilities of the firm," approved March 5, 1859.	Fowler.	583, 725, 759, 874, 984, 1016, 1029, 1034.
224	A BILL to create the Forty-second Judicial Circuit, to amend sections 3 and 4 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of prosecuting attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of court in the Second, Third and Forty-second Circuits, and repealing all laws in conflict therewith, and declaring an emergency.	Stockslager.	583, 728, 760, 936, 965, 967, 977.
208	A BILL to amend sections 1 and 2 of an act entitled "An act to declare abandoned certain unfinished railroads, and to provide for their completion, to declare forfeited the franchises of certain railroad companies and for assessment of the value thereof, for the organization of new companies and for making annual statements," approved March 11, 1867, and declaring an emergency.	Johnson.	583, 729, 759, 778, 951, 1016, 1029, 1034.
201	A BILL to establish a Superior Court in Allen county, defining its jurisdiction, providing for the appointment, election and compensation of the judges thereof and other matters connected therewith.	Bell.	584, 733, 760, 871, 943, 1016, 1029, 1034.
109	A BILL to legalize the incorporation of the city of Bloomington, Monroe county, Indiana, and all official acts done by the common council and officers of said city.	Treat.	584, 729, 760, 930, 959, 960, 977.
18	A BILL to amend sections 550 and 561 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.	Givan.	584, 729, 759, 1190, 1212.
45	A BILL to exempt benefits, claims and interests of the wives, children and dependents of members of Masonic, Odd Fellow and other charitable societies, and exempting certain policies of life insurance from the claims of creditors, and designating the place where such corporations shall be sued, and providing for changing the names of payees or beneficiaries as may be agreed upon by the members of such societies or incorporations, and the societies or incorporations of which they are members.	Grove.	584, 727, 758, 935.
113	A BILL to prevent conductors of freight trains on railroads in this State from obstructing the public highways, declaring such obstructions a misdemeanor, and prescribing the punishment thereof.	Bearse.	584, 731, 758, 929, 936, 965, 967, 977.

SENATE BILLS—Continued.

1344

No.	TITLE.	BY WHOM.	ACTION THEREON.
235	A BILL providing for the concentration of land records in the office of the Auditor of State, and prescribing the duties of the Auditor of State in connection therewith, and the appointment of a clerk thereof, and declaring an emergency.	Dykeman.	584, 727, 759, 938, 959, 967, 977.
85	A BILL to amend section 250 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.	Bell.	585, 726, 758, 887, 947, 967, 977.
14	A BILL to amend section 2 and repealing section 39 of an act entitled "An act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, and making appropriations," approved May 13, 1869.	Baxter.	585, 727, 932, 969, 977.
20	A BILL to establish a Superior Court in the county of Cass, defining its jurisdiction, and providing for the election and compensation of the Judge thereof, and other matters properly connected therewith, and declaring an emergency.	Dykeman	585, 731, 759, 872, 939, 959, 960, 977.
330	A BILL making appropriations for the expenses of the State government and its institutions, directing the object to which such appropriations shall be applied, requiring accounts of receipts and expenditures to be kept and reported by the fiscal years of the State, and repealing inconsistent laws.	— — — — —	1107, 1150.
76	A BILL to amend section 64 of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.	— — — — —	628, 728, 760.
116	A BILL to amend section 68 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.	Johnson.	628, 732, 759, 1186.
131	A BILL to preserve documentary evidence on the files of the courts of this State, and prohibiting the entry of judgments on written evidences of debt until the original shall be filed with the clerk, and endorsed as provided in this act, repealing all conflicting acts and declaring an emergency.	— — — — —	628, 729, 760, 970.
124	A BILL declaring it unlawful to get on or off railroad cars and engines while in motion or switching, providing penalties for violation of this act and other matters connected therewith.	Taylor.	628, 731, 759, 928, 977.

41	A BILL to amend section 15 of an act entitled "An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1892.	Givan.	628, 726, 759, 984, 1016, 1029, 1034.
96	A BILL requiring widows of persons dying testate to make their election within one year.	Givan.	628, 730, 759.
24	A BILL to amend section 1 of an act entitled "An act to amend the 207th and 208th sections of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,' approved June 18th, 1892, so as to authorize a change of venue in certain cases, approved March 5, 1895."	—	628, 727, 758, 872, 940, 959, 967, 977.
77	A BILL to amend section 1 of an act entitled "An act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalties," approved March 5, 1892.	Givan.	628, 731, 758, 975, 984, 1016, 1029, 1034.
177	A BILL providing for the election and appointment of supervisors of highways and prescribing certain of their duties, and those of county and township officers in relation thereto, and to repeal all laws inconsistent therewith.	Trusser.	695, 730, 759, 942, 860, 958, 984, 1016, 1029, 1034.
182	A BILL to amend sections 95, 96 and 97 of an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and the heirs thereof, and certain forms to be used in such settlements," approved June 17, 1892, and to legalize sales of real estate heretofore made by foreign administrators.	Major.	695, 731, 759, 973, 1016, 1029, 1034.
189	A BILL concerning the power of cities over harbors, channels and other water thoroughfares, and over docks and dock property, and declaring an emergency.	Winterbotham.	665, 731, 759, 936, 959, 960, 977
195	A BILL amending section 48 of an act entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein prohibiting the violation of its provisions, and repealing certain laws," approved March 12, 1875.	Taylor.	695, 732, 759, 961, 1016, 1029, 1034.
200	A BILL legalizing the issue of certificates by the Board of School Trustees of the city of Logansport, providing for the redemption of the same and other matters connected therewith.	Dykeman.	695, 732, 758,*931, 1016, 1029, 1034.
239	A BILL providing for the punishment of persons in possession of stolen property in this State, having stolen the same in another State or Territory of the United States, or in any foreign country, and for the punishment of receivers of stolen property in certain cases.	Bell.	695, 730, 759, 888, 947.
335	A BILL legalizing the act of the Board of Commissioners of Miami county, Ind., incorporating the town of Ridgeview, Miami county.	Bears.	1196, 1205, 1219, 1223.
336	A BILL to provide for the election of supervisors of roads, etc.	Bell.	1196, 1220.
296	A BILL to authorize township trustees to issue and sell bonds in certain cases for the purpose of providing funds to build school houses in incorporated towns, and providing under what conditions said trustees may issue and sell such bonds, and declaring an emergency.	—	761, 859, 946, 977, 1029.
320	A BILL revoking conditions of the bond of the Township Trustees of Ross township, Clinton county, Ind., and declaring an emergency.	Kent.	761, 790, 859, 945, 977, 1029.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
55	A BILL to indemnify counties against loss in certain cases, and to protect laborers, material men and others from loss by persons contracting for county buildings and work.	Johnson.	855, 874, 885, 1181, 1190, 1212.
119	A BILL to amend section 203 of an act entitled "An act to provide for the uniform assessment of property and the collection and return of taxes thereon," approved December 21, 1872.	Stockslager.	855, 874, 884, 1016, 1153, 1165, 1171.
322	A BILL to legalize a contract heretofore made and entered into on the 28th day of June, 1875, by and between the Board of County Commissioners of Porter county, Indiana, and Henry B. Brown, and declaring an emergency.	Skinner.	856, 873, 884, 1112, 1156, 1191, 1184, 1187.
210	A BILL exempting certain lands therein described from taxation for general city or town purposes.	— — —	856, 874, 884, 955, 1163, 1173, 1183.
52	A BILL to provide for giving notice of pending suits, attachments, levies and liens affecting real estate in certain cases.	Larue.	856, 875, 885, 968, 1212.
62	A BILL to enable married women whose husbands are insane or of unsound mind, to sell and convey real estate belonging to such married women.	Taylor.	856, 875, 885, 971, 984, 1016, 1029, 1034.
57	A BILL to discourage the keeping of worthless and sheep-killing dogs, providing for the licensing and registration of dogs, and prescribing penalties for the violation of the provisions of this act by officers and others, creating a fund for the payment of damages to owners of sheep maimed or killed by dogs, repealing all conflicting laws, and declaring an emergency.	— — —	856, 875, 885, 962.
61	A BILL to amend section 3 of an act entitled "An act to render taxation for common school purposes uniform, and to provide for educating the colored children of the State," approved May 13, 1869.	Dykeman.	856, 874, 886, 952, 984, 1016, 1029, 1834.
192	A BILL to amend section 10 of an act entitled "An act to authorize and limit allowances by courts and boards, and drafts upon county treasurers," approved May 27, 1852.	Burrell.	629, 726, 760.
98	A BILL to provide for the more speedy trial of causes, and facilitate the transaction of business in courts, to provide for judges to try causes, and fix their compensation in certain cases therein named, to authorize adjourned terms of court and enlarge the jurisdiction in certain specified cases, repealing conflicting provisions in other acts and declaring an emergency.	Moore.	629, 732, 760, 858, 944, 960, 1016, 1029, 1034.
46	A BILL amending section 315 of "An act to revise, simplify and abridge the rules, practices," etc., approved June 18, 1852, as amended by the act approved March 9, 1861.	Bell.	629, 728, 954, 984, 1016, 1029, 1034.
19	A BILL to provide for township election, and repealing all laws inconsistent therewith.	Riley.	687, 769.
29	A BILL to legalize defective organizations of corporations in certain cases.	— — —	687, 730, 760, 935, 959, 977.

96	A BILL to amend an act entitled "An act to incorporate the Wabash Railroad Company," approved February 6, 1851.	Heilman.	687.
63	A BILL to change the name of the Evansville and Crawfordville Railroad Company.	Heilman.	687, 729, 760, 928, 977, 984, 1029.
80	A BILL to amend sections 1 and 4 of an act entitled "An act supplementary and amendatory of an act entitled 'an act to provide for a uniform assessment of property and for the collection and return of taxes thereon,'" approved March 13, 1875, and declaring an emergency.	Weir.	687, 726, 769, 1222.
241	A BILL to amend sections 1 and 13 of an act entitled "An act to establish superior courts, defining their jurisdiction and providing for the election and compensation of judges thereof," approved February 16, 1871, and supplemental thereto.	— — —	687, 729, 759, 871, 945, 1016, 1029, 1034.
167	A BILL to rest the inchoate rights of married women in certain cases, when deserted by their husbands.	Larne.	694, 727, 769.
168	A BILL to legalize the actions of the Board of Trustees of Concordia College, at Fort Wayne, Allen county, Indiana.	Sarnighausen.	694, 739, 758, 931, 959, 987, 977.
203	A BILL to require officers of corporations formed to construct gravel, plank or macadamized roads on abandoned roads to make reports to the board of commissioners in the county in which such roads are situated, to regulate tolls on such roads, and to provide that the surplus earnings of such roads shall be expended in the improvement and repairs of such roads.	— — —	890, 897, 900, 965, 984.
321	A BILL providing for the current expenses of the Indiana Reformatory Institution for Women and Girls, and declaring an emergency.	Hendricks.	890.
140	A BILL to fix the time of holding the courts in the Twelfth Judicial District.	Peed.	890, 900, 949, 970.
108	A BILL to amend section 3 of an act entitled "An act to amend sections 65 and 66 of an act providing for the settlement of decedent's estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852, and supplemental thereto, approved February 20, 1855.	Givan.	890, 897, 900, 966, 1191, 1190, 1184.
188	A BILL providing for the appointment and qualification of county superintendents, repealing all acts and parts of acts in conflict herewith, and declaring an emergency.	Sarnighausen.	890, 1227.
256	A BILL to amend section 118 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon, approved December 21, 1872.	Taylor.	911, 976, 976, 1016, 1029, 1034, 1167.
318	A BILL relating to congressional township school lands and the funds arising therefrom, in cases where townships are divided by county lines, providing for a distribution of the proceeds thereof, prescribing the duties of county auditors and other officers relating thereto, fixing compensation of auditors, and other matters connected with the subject matter connected therewith, and declaring an emergency.	— — —	911, 1093, 1151, 1154, 1165, 1171.
227	A BILL to amend section 22 of an act entitled "An act concerning enclosures, trespassing animals, and partition fences," approved June 4, 1852.	Tarleton.	933, 1093, 1151, 1155.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
326	A BILL to legalize the incorporation of the town of Waterloo, DeKalb county, Indiana, and the several additions thereto and the official acts of the several boards of trustees of said corporation, under an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, etc.	Mercer.	933, 956, 1016, 1029, 1034.
199	A BILL extending the time for the completion of railroads in all cases where townships have made or may hereafter make appropriations of money to aid any railroad company in constructing its road.	Kent.	856, 874, 885, 950, 1016, 1029, 1034.
59	A BILL to authorize the county commissioners of the several counties in this State to purchase the books, stationery and other articles for the several county officers for the conduct of public business, and providing how claims against counties shall be settled and defining penalties and prescribing punishment for violations of this act by county commissioners and by other persons therein named.	Burrell.	856, 875, 885.
65	A BILL for the organization of camp-meeting associations, and providing for the government and management thereof.	Larue.	865, 874, 884, 967, 984, 1016, 1029, 1034.
89	A BILL to prohibit the sale of spirituous, vinous, malt and other intoxicating liquors, on Sunday or upon any legal holiday, or upon the day of any State, county, township or municipal election, and to prohibit the sale of such liquors on any of said days by any druggist or druggist's clerks, except as in cases therein provided, declaring the violation thereof a misdemeanor, and prescribing the penalty therefor.	Johnson.	865, 876, 885, 962, 977, 1029.
93	A BILL to establish a State Board of Health, to provide a Superintendent of Vital Statistics, prescribe certain duties of local boards, etc.	— — — — —	865, 874, 884, 969, 1152, 1156.
323	A BILL to fix the times of holding Circuit Courts in the Fourth Judicial Circuit, and to repeal all laws inconsistent therewith, and declaring an emergency.	Johnson of Floyd.	865, 874, 886, 946, 1016, 1029, 1034.
32	A BILL to amend section 455 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, and declaring an emergency.	Moore.	889, 900.
99	A BILL to amend section 57 of an act entitled "An act for the incorporation of towns, providing for the election of officers, defining their duties, and declaring an emergency."	Burrell.	890, 900, 968, 1152, 1155, 1158, 1171.

HOUSE JOINT RESOLUTIONS.

No.	TITLE.	BY WHOM.	ACTION THEREON.
✓ 1	A JOINT RESOLUTION to amend article 2, section 14 of the Constitution of the State of Indiana.	Crumpacker.	15, 134.
2	A JOINT RESOLUTION on the subject of a uniform rate of interest for the loan and forbearance of money, and providing penalties for the violation and evasion thereof.	Warrum.	16, 134, 225, 863.
3	A JOINT RESOLUTION to amend article 2, section 2, of the Constitution of the State.	Lanham.	53, 134, 226, 333.
4	A JOINT RESOLUTION proposing amendments to the Constitution of the State.	Lanham.	77, 134, 224, 304, 367.
5	A JOINT RESOLUTION proposing amendments to the Constitution of the United States.	Adams.	78, 134.
7	A JOINT RESOLUTION instructing our Senators and Representatives in Congress to procure the enactment of a law restoring the silver dollar of the coinage of 1792 to be a legal tender for payment of all debts.	Morgan.	101, 250, 686, 722, 723, 724, 725, 764.
8	A JOINT RESOLUTION concerning the annexation of certain territory to Michigan City, Indiana.	Hosmer.	101, 181, 199, 506.
9	A JOINT RESOLUTION repealing article 13 of the Constitution of the State of Indiana.	Adams.	102.
10	MR. ENDSLEY introduced Joint Resolution No. 10 which was read and referred to the committee on military affairs.	Endsley.	110, 242, 243, 361.
11	A JOINT RESOLUTION asking for a repeal of the bankrupt law.	Yaryan.	120, 223.
12	A JOINT RESOLUTION on counting the electoral vote.	Oglebay.	131.
13	Which was read and referred, under the rule, to the committee on federal relations.	Branyan.	201.
15	A JOINT RESOLUTION directing and authorizing the Auditor and Treasurer of State to examine into the present state of accounts of the State of Indiana with the estate of John P. Dunn, late of Perry county, deceased, and to make, if possible, an adjustment and settlement of the same with the heirs at law of said John P. Dunn, or their legal representatives and report their action as to whether there is any balance due to the State of Indiana from said John P. Dunn's estate or any balance or overplus after paying said debt now due from the State of Indiana to said heirs, the complete action of the State and true condition of these accounts in all respects.	Hatfield.	303, 400, 468, 978, 1029.
16	A JOINT RESOLUTION to amend section 2 of article 2 of the Constitution of the State of Indiana.	Lanham.	225, 304, 368, 396.
17	A JOINT RESOLUTION to amend article 2 of the Constitution of the State of Indiana.	Lanham.	225, 304, 369.
18	A JOINT RESOLUTION to amend section 4 of article 4 of the Constitution of the State of Indiana.	Lanham.	225, 304, 370.

HOUSE JOINT RESOLUTIONS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
19	A JOINT RESOLUTION to amend section 5 of article 4 of the Constitution of the State of Indiana.	Lanham.	225, 304, 371.
20	A JOINT RESOLUTION to amend the Constitution of the State of Indiana.	Lanham.	225, 304, 371.
21	JOINT RESOLUTION.	Henderson.	438, 855.
22	A JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to use all proper means, and to examine and report an act of Congress to aid American ship building, so that the carrying trade of the United States will be increased and the receipts for freight and passengers from and to our shores become our income to American enterprise and add to our shipment of our agricultural and manufacturing products, and add to our national resources and other matters.	Freeman.	451.
23	A JOINT RESOLUTION to restore the names of John H. Kilgore, George W. Johnson and Oliver Johnson, members of Co. A, 40th Regiment Indiana Volunteer Infantry, to their original place upon the rolls of the army.	— — —	629, 645, 653.
24	A JOINT RESOLUTION concerning the offices and officers and emblems of the State and pay of the same.	Langdon.	752.
25	A JOINT RESOLUTION requiring Clerks of the Circuit Courts to report to the Secretary of State the condition of estates and guardianships.	Leeper.	822.
26	A JOINT RESOLUTION to repeal Joint Resolution No. 6, passed at the Regular Session of the General Assembly of the State of Indiana.	Yaryan.	847.
27	A JOINT RESOLUTION creating a commission to examine the claims of Frank B. Ainsworth, late Superintendent of the House of Refuge, against the Board of Control of said institution, or the State of Indiana, and providing for the payment of any amount found due, and matters connected therewith.	Craft.	1145.
29	A JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to secure the passage of a law elevating the head of the Bureau of Agriculture to the dignity and position of a cabinet officer, and creating a Department of Agriculture.	Committee.	1183, 1188.
30	A JOINT RESOLUTION suspending certain appropriation.	Cole.	1226.

SENATE JOINT RESOLUTIONS.

1351

No.	TITLE.	BY WHOM.	ACTION THEREON.
1	A JOINT RESOLUTION proposing amendment to article 2, section 2, of the Constitution.	—	857, 876, 954, 986, 988, 1034.
2	A JOINT RESOLUTION proposing amendment to article 2, section 5, of the Constitution.	—	857, 876, 954.
3	A JOINT RESOLUTION proposing amendment to article 2, section 14, of the Constitution.	—	857, 876, 954, 986, 987, 1034.
4	A JOINT RESOLUTION proposing amendment to article 4, sections 4 and 5 of the Constitution.	—	857, 876, 986, 993, 1034.
5	A JOINT RESOLUTION proposing amendment to clause 14, section 22, article 4, of the Constitution.	—	857, 876, 972, 985, 990.
6	A JOINT RESOLUTION proposing amendment to article 7, section 1 of the Constitution.	—	857, 876, 986, 993, 1034.
7	A JOINT RESOLUTION proposing amendment to article 7, section 2 of the Constitution.	—	857, 876, 986, 991, 1034.
8	A JOINT RESOLUTION proposing amendment to article 10, section 6 of the Constitution.	—	857, 876, 1016.
9	A JOINT RESOLUTION proposing amendment to article 13 of the Constitution.	—	857, 876, 1212, 1226, 1229, 1232.
10	A JOINT RESOLUTION to amend article 4, section 29 of the Constitution.	—	857, 876, 986, 1034.
11	A JOINT RESOLUTION instructing our Senators and requesting our Representatives to vote against any bill in Congress loaning the credit of the United States to any railroad company.	—	584, 726, 1022.
12	A JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to vote and use their influence to secure the passage of a law to equalize the pensions granted and to be granted to soldiers in the war of 1861, who were discharged by reason of wounds received or disease contracted in the service of the United States in said war, and in the line of duty, and to the widows of such soldiers as have died of such disability.	—	585, 730, 777, 858.
13	A JOINT RESOLUTION for the repeal of the National Bankrupt Law.	—	629, 827, 846, 925, 1006, 1093, 1103.



NOT TO BE CIRCULATED

